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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 5, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee
Supervisors Avalos, Mirkarimi, Chiu

City and School District Select Committee
Supervisors Elsbernd, Dufty, Avalos, Yee, Fewer, Maufas

City Operations and Neighborhood Services Committee
Supervisors Dufty, Daly, Elsbernd

Government Audit and Oversight Committee
Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee
Supervisors Maxwell, Mar, Chiu

Public Safety Committee
Supervisors Chiu, Mirkarimi, Alioto-Pier

Rules Committee
Supervisors Campos, Daly, Alioto-Pier

GOVERNMENT DOCUMENTS DEPT

DEC 31 2009

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Meeting Days

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 27, 2009, November 3, 2009, November 10, 2009, November 17, 2009, November 17, 2009 (Special), November 24, 2009, December 8, 2009, and December 15, 2009, Board Meeting Minutes.

AGENDA CHANGES

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6**Recommendations of the Budget and Finance Committee**

Present: Supervisors Avalos, Mirkarimi, Chu

1. **091336** **[Public Employment - Amendment to the Annual Salary Ordinance FY 2009-2010 for the Department of the Environment]**
 Sponsor: Mayor
 Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of one position (.50 FTE) Class 5638 Environmental Assistant in the Department of the Environment.

 12/15/2009; PASSED, ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

2. **091368** **[Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$7,739,300]**
 Sponsor: Mayor
 Ordinance authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of \$7,739,300 from the U.S. Department of Energy through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) under the Energy Independence and Security Act of 2007 (Pub. L. 110-140; 42 U.S.C. 17151 et seq.) for the Municipal Building Energy Efficiency Retrofit, Community Resilience, and Heating Systems Programs, and amending Ordinance Number 183-09 to reflect the addition of one and seven-tenths (1.7) grant-funded positions at the Department of the Environment.

 12/15/2009; PASSED, ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

3. **091373** **[Accept and Expend Grant - SF General Hospital Shuttle Bus Project - \$100,245]**
 Sponsor: Maxwell
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant totaling \$100,245 from the Bay Area Air Quality Management District to implement a shuttle service connecting San Francisco General Hospital and Mission Bay campuses with major transit hubs in San Francisco; for the period of January 15, 2010, through January 15, 2012.

 Question: Shall this Resolution be ADOPTED?

4. 091375 **[Accept and Expend Grant - Southeast Health Opportunities - \$450,000]**
Sponsors: Maxwell; Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$450,000 to assist with a project entitled "Southeast Health Opportunities (SHOP)," for the period of September 30, 2009, through September 29, 2010.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 090962 **[Zoning - Amending the Citywide Definition of Tobacco Paraphernalia Establishments by Lowering the Threshold for Retail Stores to be Considered Tobacco Paraphernalia Establishments]**

Sponsor: Chiu

Ordinance amending the Planning Code to amend the definition of Tobacco Paraphernalia Establishments in Section 227(v), to lower the threshold for retail stores to be considered Tobacco Paraphernalia Establishments from 15% of the square footage of the establishment to 10% of the occupied floor area, as defined in Section 102.10, or 10 linear feet of display area projected to the floor, whichever is less; amending Sections 790.123 and 890.123 to reflect this amended definition; amending Section 723.1 and the Table at Section 723, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Polk Street Neighborhood Commercial District; amending Section 186.1, to change the period of non-use for a non-conforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Polk Street Neighborhood Commercial District from three years to eighteen months, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

12/15/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 091284 **[Mission Bay - Park P21 Improvements]**

Ordinance designating a portion of State Trust Parcel 5 East of future Terry A. Francois Boulevard at future Mission Bay Boulevard for public open space and park purposes; naming the new park "Bayfront Park," accepting and irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No.178,379 and authorizing official acts in connection with this Ordinance. (Public Works Department)

12/15/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

7. 091482 [Adopting Findings Related to Affirming the Exemption Determination Issued for the 2750 Vallejo Street Project]
Motion adopting findings related to affirming the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review.
(Clerk of the Board)

12/30/2009; REFERRED to the Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

8. 091354 [Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health]
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 236.42 FTEs in various job classes and delete 200.16 FTEs in various job classes for 11.8 pay periods (January 17, 2010, through June 30, 2010) and add 66.35 FTEs in various job classes and delete 66.35 FTEs in various job classes for 13.1 pay periods (January 1, 2010, through June 30, 2010) in the Department of Public Health.

11/24/2009; DUPLICATED AND AMENDED. Duplicate of File No. 091203.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; CONTINUED AS AMENDED ON FIRST READING.

12/15/2009; TABLED. Failed.

12/15/2009; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

9. 090583 **[Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]**

Sponsors: Avalos; Campos

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending 37.9 to provide an owner the option of giving additional notice in lieu of making relocation payments for owner move-in eviction of a newly covered single-family home or individually owned condominium, provided the tenant was initially given specified notice of this status (new Section 37.9(a)(8)(ix)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

12/08/2009; PASSED ON FIRST READING.

12/15/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/15/2009; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be **FINALLY PASSED?**

NEW BUSINESS**Recommendation of the City Operations and Neighborhood Services Committee**

Present: Supervisors Duffy, Daly, Elsbernd

10. 091330 **[Urging the Department of Social Services to Immediately Reverse the Policy Excluding a Person with Any Felony Conviction from Serving as an In-Home Supportive Services Homecare Provider]**

Sponsors: Avalos; Mar and Duffy

Resolution urging the Department of Social Services to immediately reverse the policy excluding a person with any felony conviction or serious misdemeanor from serving as an In-Home Supportive Services independent homecare provider.

Question: Shall this Resolution be **ADOPTED?**

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

11. 090319 **[Zoning Ordinance Providing for a Five Feet Special Height Exception for Ground Floor Commercial Uses in NC-1 Designated Parcels]**
Sponsor: Avalos
Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for commercial ground floor uses in NC-1 designated parcels within the boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farellones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street; amending Section 710.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
08/04/2009; SUBSTITUTED.
Question: Shall this Ordinance be PASSED ON FIRST READING?
12. 090835 **[Residential Rent Ordinance Prohibiting Owner Move-In Evictions of Households with a Child Under the Age of 18, Except by an Owner Moving In with a Child and Except Where the Owner Only Owns One Unit in the Building]**
Sponsors: Mar; Chiu
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(j) to prohibit an owners move-in eviction where a child under the age of 18 resides in the unit with a tenant who has a custodial or family relationship with that child, and that tenant has resided in the unit for 12 months or more, except that this provision will not apply where there is only one unit owned by the landlord in the building or where the owner who will move into the unit pursuant to a Section 37.9(a)(8) eviction has a custodial or family relationship with a child under the age of 18 who will reside in the unit with the owner; and renumbering current Section 37.9(j) as Section 37.9(k).
(Supervisor Maxwell dissented in committee.)
Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1 Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
- 2 Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
- 3 Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
- 4 Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
- 5 Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

13. 091345 [Public Hearing - Appeal of Conditional Use Appeal for 1969 California Street]

Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 17959 dated October 8, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0639C), under Planning Code Sections 209.9 and 303 to allow the establishment of an art gallery and associated offices (d.b.a. Anthony Meier Fine Art Gallery) within a designated City Landmark, Landmark #260, the Tobin House, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 1969 California Street, Assessor's Block No. 0649, Lot No. 016. (District 5) (Appellant: Greg Scott on behalf of Pacific Heights Residents Association) (Clerk of the Board)

(Filed 11/9/09 - Companion Measure to File Nos. 091346, 091347, 001348)

12/08/2009; CONTINUED. Continued to January 5, 2010.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**14. 091346 [Approving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]**

Motion approving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

12/08/2009; CONTINUED. Continued to January 5, 2010.

Question: Shall this Motion be APPROVED?

15. 091347 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street. (Clerk of the Board)

12/08/2009; CONTINUED. Continued to January 5, 2010.

Question: Shall this Motion be APPROVED?

16. 091348 [Preparation of Findings Related to the Conditional Use Appeal for 1969 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.0639C on property located at 1969 California Street, for action by the Board at its next meeting. (Clerk of the Board)

12/08/2009; CONTINUED. Continued to January 5, 2010.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, January 4, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, January 5, 2010.

17. 091015 [Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]

Sponsors: Mirkarimi; Campos, Avalos and Daly

Ordinance adding a new Chapter 6 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.600, 3.605 and 3.610, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings.

(Supervisor Alioto-Pier dissented in committee.)

12/15/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/15/2009; RE-REFERRED to the Public Safety Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 18 through 21

18. 091463 [Calling on Congress to Pass Meaningful Healthcare Reform that Promotes a Holistic Approach to Women's Health, Including Access to Reproductive Choice for All and a Robust Public Option]

Sponsor: Daly

Resolution calling on Congress to pass meaningful healthcare reform that promotes a holistic approach to women's health with access to reproductive choice for all and a robust public option; opposing the Stupak-Ellsworth-Pitts Amendment and an amendment proposed by Senator Ben Nelson that would limit reproductive choice; supporting a strong public option like that proposed by Senator John D. Rockefeller or Representative Raul Grijalva; urging the United States Senate to pass meaningful healthcare reform that ensures access to health services, including reproductive health; urging the US Senate to continue opposing the inclusion of anti-choice language in health care reform; encouraging conferees to remove the Stupak amendment and include a robust public option; and commending members of the California congressional delegation who supported a robust public option and opposed the restrictions on reproductive choice.

12/15/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 19. 091466 [Revising the 2010 Board of Supervisors Regular Meeting Schedule]**
Motion revising the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, June 1, July 6, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 11 through September 3, 2010, and December 15 through December 31, 2010. (Clerk of the Board)

12/15/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 20. 091471 [Final Map - 83 - 85 Brady Street]**
Motion approving Final Map 5548, a Six Residential Unit Condominium Project, located at 83 - 85 Brady Street being a subdivision of Lot 022 in Assessors Block No. 3505 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (District 6) (Public Works Department)

12/22/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 21. 091484 [Committee of the Whole - Annuling the Privilege to Occupy Certain Subsidewalk Basement Encroachments to Accommodate the Central Subway Project]**
Sponsor: Chiu
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 12, 2010, to hold a public hearing on File No. 091479, a resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockton Streets to accommodate the construction of the Central Subway Project.

12/30/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

22. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from December 8, 2009, to December 28, 2009, for reference by President to appropriate committee on January 5, 2010.

091475 [General Plan Amendment - Market and Octavia Area Plan]

Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

12/28/2009; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase the heights of certain parcels and retain the current heights on other parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

12/28/2009; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

091477 [Zoning Map Amendments - 1415 Mission Street Project at Mission and Tenth Streets]

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sectional Map 7 to change the use classification of the property located at 1415 Mission Street (Assessor's Block No. 3510, Lot No. 001) from C-M (Heavy Commercial) to C-3-G (Downtown General Commercial) and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Commission)

12/28/2009; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 8, 2009, to December 28, 2009, for reference by President to appropriate committee on January 5, 2010.

091472 [Agreement to Purchase a Road Easement Over Portions of APN 011-001-028 Located in Stanislaus County]

Resolution approving and authorizing an agreement for the purchase of a 0.48 acre permanent road easement over portions of Assessor's Parcel Number 011-001-028 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (the "Project") for a purchase price of \$500; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

12/28/2009, RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

091473 [Settlement of Department of Fair Employment and Housing Charge - Timothy Jones - \$83,251.89]

Resolution approving the settlement of the Department of Fair Employment and Housing (DFEH) and Equal Employment Opportunity Commission (EEOC) charges filed by Timothy Jones against the City and County of San Francisco for \$83,251.89; DFEH and EEOC charges were filed on November 13, 2008; DFEH Charge No. E200809A0330-00-pe and EEOC Charge No. 37AA904035 entitled Jones v. CCSF. (City Attorney)

12/28/2009, RECEIVED AND ASSIGNED to the Rules Committee.

091474 [Settlement of Claim - Devorah Joseph - \$49,000]

Resolution approving the settlement of the unlitigated claim filed by Devorah Joseph against San Francisco for \$49,000; claim was filed on July 28, 2008; additional material terms of said settlement are a full and final release. (City Attorney)

12/28/2009, RECEIVED AND ASSIGNED to the Rules Committee.

091478 [CEQA Findings for SFPUC Sunol Valley Water Treatment Plant Project in Alameda County]

Resolution adopting findings under the California Environmental Quality Act (CEQA) including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Sunol Valley Water Treatment Plant and Treated Water Reservoir Project, Water System Improvement (WSIP)-funded Project No. CUW38101; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

12/28/2009, RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

091479

[Annulling the Privilege to Occupy Certain Subsurface Encroachments Along the Central Subway Alignment]

Resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockton Streets to accommodate the construction of the Central Subway Project. (Municipal Transportation Agency)

12/28/2009; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

091480 [Petitions and Communications]

Petitions and Communications received from December 8, 2009, through December 28, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 5, 2010.

From Capital Planning Commission, submitting support for resolution of public interest and necessity establishing the need for the Earthquake Safety and Emergency Response General Obligation Bond. Copy: Each Supervisor, Budget and Finance Clerk (1)

From concerned citizens, submitting opposition to proposed legislation to expand rent control laws on buildings built after 1979. Copy: Each Supervisor, File No. 090583, 6 letters (2)

From Harriet Rafter, submitting support for proposed legislation to expand rent control laws on buildings built after 1979. File No. 090583 (3)

From Office of the Controller, submitting report regarding improving keyword searches and reflecting Standard Industrial Classifications and the National American Industry Classification System to enable users to refine searches and better identify small and local businesses to bid on City work. (Reference No. 20091020-002) (4)

From Planning Department, submitting notice that a draft Environmental Impact Report has been prepared for the Crystal Springs Pipeline No. 2 Replacement Project and a copy of this report is available for public review and comment. (5)

From Becky Draper, submitting support for proposed project at 2750 Vallejo Street. Copy: Each Supervisor, File No. 091309 (6)

From Kimo Crossman, regarding the 1996 amendment to the Administrative Code, governing requirements for the release and storage of information stored in electronic form. (7)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from 8:20 a.m., December 15, 2009, until 11:59 p.m., December 16, 2009. Supervisor Chu will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (8)

From Eula Walters, submitting support for Ferry Park remaining the green, beautiful park that it is today. Copy: Each Supervisor (9)

From Office of the Controller, submitting the Schedule of Cash, Investments, and Accrued Interest Receivable Report for the Office of the Treasurer and Tax Collector. Copy: Each Supervisor (10)

From Office of the Controller, submitting report concerning the cash handling audit of the Security Access Office at San Francisco International Airport. (11)

From Office of the Controller, submitting an assessment and review report of the effect of the Biotechnology Tax Exclusion, after it has been in effect for five years. (12)

From Department of Public Health, submitting the Quarterly Surveillance Report of AIDS cases reported through September 2009. (13)

From Dr. Ahimsa Sumchai, regarding the draft Environmental Impact Report for the proposed development at Candlestick Point. (14)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. File No. 091307, 3 letters (15)

From Susan McCullough, submitting opposition to proposed legislation regarding parking requirements and garage installation in existing residential buildings in Telegraph Hill, North Beach, and Chinatown. File No. 091165 (16)

From James Chaffe, submitting letter entitled Bringing Game Theory to Sunshine. (17)

From Arthur Evans, commenting that in recent years the city has been flooded with increasing throngs of nomadic psychotics, addicts, and alcoholics who flock here from across the country. 2 letters (18)

From California Public Utilities Commission, submitting notice that PG & E has filed an application seeking approval to construct, own, and operate the Manzanita Wind Project in eastern Kern County, in the Tehachapi region of southern California. (19)

From Office of the Controller, submitting the Monthly Economic Barometer Report for October 2009. (20)

From SF Association of Realtors, submitting opposition to proposed ordinance that would prohibit owner move-in evictions where any tenant is under the age of 18 and a member of a household who has resided in the unit for at least 12 months. File No. 090835, Copy: Land Use Committee and Clerk (21)

From Office of the Controller, submitting the Street and Sidewalk Maintenance Annual Report for FY 2008-2009. This report provides the results from inspections in FY 2008-2009 and includes recommendations to improve the City's performance. Copy: Each Supervisor (22)

From Office of the Controller, submitting the Parks Annual Report for FY 2008-2009. Copy: Each Supervisor (23)

From Human Services Agency, submitting the final report on the plan to coordinate all foster care placement improvement plans among Juvenile Probation, Department of Public Health, and Human Services Agency for children and youth in need of high-end residential treatment. Copy: Each Supervisor (24)

From State Department of Corrections and Rehabilitation, submitting notice that the Corrections Standards Authority conducted their Biennial Inspections of the following San Francisco Police Department temporary holding facilities: Northern, Bayview, Park, Ingleside, Taraval, Tenderloin, Richmond, Mission, and South Terminal S.F.O. Copy: Each Supervisor (25)

From State Department of Corrections and Rehabilitation, submitting the Corrections Standards Authority Biennial Inspections Report for the following San Francisco Police Department temporary holding facilities: Northern, Bayview, Park, Ingleside, Taraval, Tenderloin, Richmond, Mission, and South Terminal S.F.O. Copy: Each Supervisor (25)

From Office of the Controller, submitting the Government Barometer Report for October 2009. Copy: Each Supervisor (26)

From Office of the Controller, responding to request for an estimate as to the costs incurred by the City and County of San Francisco during the November 23, 2009, SEIU 1021, demonstration that blocked part of Market Street. (Reference No. 20091124-001) (27)

From Human Services Agency, submitting the Department of Aging and Adult Services' Year End Report of its Area Plan. (28)

From James Corrigan, commenting on various issues with the Fire Department. 2 letters (29)

From Francisco Da Costa, urging the Board of Supervisors to vote against proposed legislation regarding changes to discretionary review. File No. 091020 (30)

From various Bay Area conservation organizations, regarding the draft Environmental Impact Report for the proposed project to rebuild the seismically challenged Calaveras Dam in the upper Alameda Creek watershed. (31)

From Michael Beekboel, submitting support for affordable clean renewable energy in San Francisco (32)

From Commission on the Status of Women, submitting resolution opposing the Stupak-Ellsworth-Pitts amendment to restrict reproductive choice. (33)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from December 20, 2009, until December 27, 2009. Supervisor Alioto-Pier and Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (34)

From Office of the Mayor, submitting letter explaining why Mayor Newsom is returning legislation unsigned that was finally passed by the Board of Supervisors that de-appropriates \$1,881,896 in funding that is currently on reserve within the Department of Public Health for salaries and benefits at SF General Hospital, and re-appropriating those dollars to cover different salary costs within the Department of Public Health for two months. File Nos. 091202, 091203, Copy: Each Supervisor, City Attorney (35)

From Office of the Mayor, submitting the Mayor's FY 2009-2010 proposed Mid-Year budget solutions for City and County of San Francisco. Copy: Each Supervisor (36)

From Mary Sheeran, submitting opposition to proposed legislation prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums. File No. 091443 (37)

From Amy Knight, submitting support for proposed legislation prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums. File No. 091443 (38)

From concerned citizens, submitting support to uphold the Letter of Determination issued by the Planning Department to allow the Masonic Memorial Temple to continue to serve the community as a vital cultural venue in San Francisco. 2 letters (39)

From Save Stow Lake Boat House Coalition, submitting support for saving the one-of-a-kind, old fashioned snack bar at Stow Lake for future generations. (40)

From Abdalla Megahed, regarding his family's proposed plan to open a restaurant in the new hotel at Treasure Island. (41)

From Roland Wong, thanking the Municipal Transportation Authority for the installation of the automatic push-button door openers at Forest Hill Station. (42)

From Christine Harris, urging the Board of Supervisors to pass legislation for stronger anti-stalking laws. (43)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Merry X-Ray Chemical Corporation to provide radiographic equipment. (44)

From William Zimmerman, suggesting one way to get rid of cigarette butts is to ban filtered cigarettes within the City and County of San Francisco. (45)

From Marilyn Buchler, submitting support for appeal of Conditional Use Authorization for proposed project at 1969 California Street. (46)

From California Public Utilities Commission, submitting application of Blue & Gold Fleet, L.P., for authorization to increase passenger fares on its Vessel Common Carrier service on San Francisco Bay between Angel Island State Park and authorized points in San Francisco. (47)

From California Public Utilities Commission, submitting application of Blue & Gold Fleet, L.P., for authorization to increase passenger fares on its Vessel Common Carrier service on San Francisco Bay between Tiburon and authorized points in San Francisco. (48)

From California Public Utilities Commission, submitting application of Blue & Gold Fleet, L.P., for authorization to increase passenger fares on its Vessel Common Carrier service on San Francisco Bay between the City of Sausalito and authorized points in San Francisco. (49)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests for Gabe Cabrera, Office of Legislative Analyst (leaving). (50)

From concerned citizens, submitting opposition to proposed development by Lennar at Candlestick Point pending completion of a thorough Environmental Impact Report. Copy: Each Supervisor 2 letters (51)

From Office of the Treasurer & Tax Collector, submitting the Monthly Investment Report for November 2009. (52)

From Department of Public Works, regarding status of removing graffiti from utility boxes and bus shelters at various locations in District 5. (Reference No. 20091124-004) (53)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20091124-005) (54)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20091124-007) (55)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20091208-003) (56)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20091215-003) (57)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20091124-006) (58)

From Matt Gunderson, regarding the increase in city fees and the uncertainty of soccer fields in San Francisco. (59)

From Sarah Lefton, commenting on the Haight Ashbury district that has become a hostile, scary neighborhood. (60)

From J. Taylor, submitting proposal for a carbon offset tax based on a one cent or partial cent tax on a gallon of gasoline. (61)

From Francisco Da Costa, regarding the lack of representation on the Redevelopment Agency Commission for the Bayview Hunters Point, Candlestick Point and Visitation Valley neighborhoods. (62)

From Tara Vance, regarding the San Francisco Police Department and the citizens of San Francisco. (63)

From State Fish and Game Commission, submitting notice of proposed emergency regulatory action relating to incidental take of Pacific fisher. (64)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20091208-008) (65)

From Kimo Crossman, regarding proposal that would attach a warning feature when purchasing cell phones of the danger of brain cancer. (66)

From Human Rights Commission, submitting report regarding improving keyword searches and reflecting Standard Industrial Classifications and the National American Industry Classification System to enable users to refine searches and better identify small and local businesses to bid on City work. (Reference No. 20091020-004) (67)

From Daniel Baker, submitting notice that an application for Bay Airporter Express, Inc., was filed with California Public Utilities Commission, seeking a passenger stage corporation certificate to perform an on-call, door-to-door service on a 24-hours per day, seven days per week basis between points in San Francisco, Alameda, Contra Costa, Solano and San Mateo Counties, and San Francisco, Oakland and San Jose International Airports. (68)

ADJOURNMENT



NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO Resolution to Establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing)

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, January 12, 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton P. Goodlett Place, San Francisco, CA

Subject: Resolution of Formation to establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing), establish boundaries of said special tax district, to describe the facilities to be financed, to establish an appropriations limit and to provide for other matters related thereto.

GOVERNMENT
DOCUMENTS DEPT

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On November 24, 2009, the Board of Supervisors of the City and County of San Francisco, adopted its Resolution of Intention No. 464-09 to Establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing) under Chapter 43, Article X of the San Francisco Administrative Code, which incorporates the Mello-Roos Community Facilities Act of 1982. Under the code and the Resolution of Intention, the Board of Supervisors gives notice as follows:

1. The text of the Resolution of Intention No. 464-09, with Exhibits A, B and C thereto, as adopted by the Board of Supervisors, is on file with the Clerk of the Board of Supervisors and reference is made thereto for the particular provisions thereof. The text of the Resolution of Intention is summarized as follows:

a. Under the code, and for the public purposes set forth in the Resolution of Intention, the Board of Supervisors is undertaking proceedings for the establishment of the Special Tax District, the boundaries of which are shown on a map on file with the City. The Special Tax District shall initially consist solely of territory proposed for annexation to the Special Tax District in the future, with the condition that a parcel or parcels within that territory may be annexed to the Special Tax District and subjected to a special tax only with the unanimous

written approval of the owner or owners of such parcel or parcels at the time that such parcel or those parcels are annexed or in compliance with such other procedures specified in the code.

b. The purpose of the Special Tax District is to finance and refinance the acquisition, installation and improvement of energy efficiency, water conservation and renewable energy improvements to or on real property and in buildings, whether such real property or buildings are privately or publicly owned.

c. The method of financing the facilities is through the imposition and levy of a special tax to be apportioned on the properties in the Special Tax District (i) according to the method of apportionment described in the Resolution of Intention and Exhibit B thereto and (ii) at the rate specified in each unanimous approval or in compliance with such other procedures specified in the code.

d. The Director of the Office of Public Finance or designee was directed to prepare a Special Tax District Report that describes the facilities and the estimated costs of the facilities. The Special Tax District Report will be made a permanent part of the record of the public hearing specified above. Reference is made to the Special Tax District Report as filed with the Clerk of the Board.

e. As set forth above, the Board of Supervisors will hold a public hearing on the establishment of the Special Tax District, the Facilities and the Special Tax.

2. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the Special Tax District, the extent of the Special Tax District or the furnishing of the specified Facilities will be heard. Any person interested may file a protest in writing as provided in Section 53323 of the Act by January 12, 2010, at 3:00 p.m. or prior to the close of the public hearing. If 50% or more of the registered voters, or 6 registered voters, whichever is more, residing within the territory proposed to be annexed to the Special Tax District in the future, or if the owners of one-half or more of the area of land proposed to be annexed in the future and not exempt from the Special Tax, file written protests against establishment of the Special Tax District, and protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings to form the Special Tax District shall be undertaken for a period of 1 year from the date of decision of the Board of Supervisors on the issues discussed at the hearing. If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of Facilities within the Special Tax District, or against levying the Special Tax, those types of Facilities or the Special Tax shall be eliminated from the Board of Supervisors' proceedings, and the remainder of such proceedings may continue.


3. If there is no majority protest, the Board of Supervisors may form the Special Tax District and authorize the levy of the Special Tax, with the condition that a parcel or parcels within that territory may be annexed to the Special Tax District and subjected to the Special Tax only with execution of a Unanimous Approval of the owner

or owners of such parcel or parcels at the time that such parcel or those parcels are annexed or in compliance with such other procedures specified in the Code.

4. The City may, without additional hearings or procedures, designate a parcel or parcels as an improvement area within the Special Tax District. After the designation of a parcel or parcels as an improvement area, all proceedings for approval of the appropriations limit, the rate, method of apportionment and manner of collection of special tax and the authorization to incur bonded indebtedness for such parcel or parcels will apply only to the improvement area. The City may incur indebtedness payable solely from special taxes levied on property in the improvement area.

Pursuant to Government Code Section 65009, notice is hereby given if you challenge, in court, the Resolution of Formation to Establish Special Tax District 2009-1, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. At the public hearing, the testimony of all interested persons, including voters and/or persons owning property in the area of the proposed Special Tax District, for and against the proposed special tax district formation, will be heard. Interested persons may submit written protests or comment to the City.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter will be available for public review on Thursday, January 7, 2010.

A handwritten signature in black ink, appearing to read 'Angela Calvillo', with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board

DATED: January 4, 2010
PUBLISHED: January 4, 2010



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO
Resolution to Establish Special Tax District No. 2009-1
(San Francisco Sustainable Financing)

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT
DOCUMENTS DEPT

Date: Tuesday, January 12, 2010

JAN - 4 2010

Time: 3:00 p.m.

SAN FRANCISCO
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Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton P. Goodlett Place, San Francisco, CA

04-10A09:55 RECD

Subject: Resolution of Formation to establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing), establish boundaries of said special tax district, to describe the facilities to be financed, to establish an appropriations limit and to provide for other matters related thereto.

On November 24, 2009, the Board of Supervisors of the City and County of San Francisco, adopted its Resolution of Intention No. 464-09 to Establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing) under Chapter 43, Article X of the San Francisco Administrative Code, which incorporates the Mello-Roos Community Facilities Act of 1982. Under the code and the Resolution of Intention, the Board of Supervisors gives notice as follows:

1. The text of the Resolution of Intention No. 464-09, with Exhibits A, B and C thereto, as adopted by the Board of Supervisors, is on file with the Clerk of the Board of Supervisors and reference is made thereto for the particular provisions thereof. The text of the Resolution of Intention is summarized as follows:

a. Under the code, and for the public purposes set forth in the Resolution of Intention, the Board of Supervisors is undertaking proceedings for the establishment of the Special Tax District, the boundaries of which are shown on a map on file with the City. The Special Tax District shall initially consist solely of territory proposed for annexation to the Special Tax District in the future, with the condition that a parcel or parcels within that territory may be annexed to the Special Tax District and subjected to a special tax only with the unanimous



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written approval of the owner or owners of such parcel or parcels at the time that such parcel or those parcels are annexed or in compliance with such other procedures specified in the code.

b. The purpose of the Special Tax District is to finance and refinance the acquisition, installation and improvement of energy efficiency, water conservation and renewable energy improvements to or on real property and in buildings, whether such real property or buildings are privately or publicly owned.

c. The method of financing the facilities is through the imposition and levy of a special tax to be apportioned on the properties in the Special Tax District (i) according to the method of apportionment described in the Resolution of Intention and Exhibit B thereto and (ii) at the rate specified in each unanimous approval or in compliance with such other procedures specified in the code.

d. The Director of the Office of Public Finance or designee was directed to prepare a Special Tax District Report that describes the facilities and the estimated costs of the facilities. The Special Tax District Report will be made a permanent part of the record of the public hearing specified above. Reference is made to the Special Tax District Report as filed with the Clerk of the Board.

e. As set forth above, the Board of Supervisors will hold a public hearing on the establishment of the Special Tax District, the Facilities and the Special Tax.

2. At the hearing, the testimony of all interested persons or taxpayers for or against the establishment of the Special Tax District, the extent of the Special Tax District or the furnishing of the specified Facilities will be heard. Any person interested may file a protest in writing as provided in Section 53323 of the Act by January 12, 2010, at 3:00 p.m. or prior to the close of the public hearing. If 50% or more of the registered voters, or 6 registered voters, whichever is more, residing within the territory proposed to be annexed to the Special Tax District in the future, or if the owners of one-half or more of the area of land proposed to be annexed in the future and not exempt from the Special Tax, file written protests against establishment of the Special Tax District, and protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings to form the Special Tax District shall be undertaken for a period of 1 year from the date of decision of the Board of Supervisors on the issues discussed at the hearing. If the majority protests of the registered voters or of the landowners are only against the furnishing of a specified type or types of Facilities within the Special Tax District, or against levying the Special Tax, those types of Facilities or the Special Tax shall be eliminated from the Board of Supervisors' proceedings, and the remainder of such proceedings may continue.

3. If there is no majority protest, the Board of Supervisors may form the Special Tax District and authorize the levy of the Special Tax, with the condition that a parcel or parcels within that territory may be annexed to the Special Tax District and subjected to the Special Tax only with execution of a Unanimous Approval of the owner



or owners of such parcel or parcels at the time that such parcel or those parcels are annexed or in compliance with such other procedures specified in the Code.

4. The City may, without additional hearings or procedures, designate a parcel or parcels as an improvement area within the Special Tax District. After the designation of a parcel or parcels as an improvement area, all proceedings for approval of the appropriations limit, the rate, method of apportionment and manner of collection of special tax and the authorization to incur bonded indebtedness for such parcel or parcels will apply only to the improvement area. The City may incur indebtedness payable solely from special taxes levied on property in the improvement area.

Pursuant to Government Code Section 65009, notice is hereby given if you challenge, in court, the Resolution of Formation to Establish Special Tax District 2009-1, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. At the public hearing, the testimony of all interested persons, including voters and/or persons owning property in the area of the proposed Special Tax District, for and against the proposed special tax district formation, will be heard. Interested persons may submit written protests or comment to the City.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter will be available for public review on Thursday, January 7, 2010.



Angela Calvillo
Clerk of the Board

DATED: January 4, 2010
PUBLISHED: January 4, 2010

5

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, January 12, 2010

Time: 4:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton P. Goodlett Place, San Francisco, CA

Subject: Public Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 16, 2009, revocation of a Minor Sidewalk Encroachment Permit No. 03MSE-157 issued on June 7, 2006, on property located at 24-34 Ellis Street, Lot No. 008 in Assessor's Block No. 327. (Appellant: Harvey C. Hacker) (File No. 091391)

Pursuant to Government Code Section 65009, notice is hereby given if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter will be available for public review on Thursday, December 31, 2009.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board

GOVERNMENT
DOCUMENTS DEPT

DATED: December 24, 2009

DEC 28 2009

City and County of San Francisco

12-23-09 10:28 RCVD

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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

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Time: 4:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton P. Goodlett Place, San Francisco, CA

Subject: Public Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 16, 2009, revocation of a Minor Sidewalk Encroachment Permit No. 06MSE-0181 issued on January 23, 2007, on properties located at 77 O'Farrell and 48 Stockton Streets, Lot No. 003 in Assessor's Block No. 328. (Appellants: Martin H. Orlick for 77 O'Farrell Street and Marshall C. Wallace for 48 Stockton Street) (File No. 091388)

Pursuant to Government Code Section 65009, notice is hereby given if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter will be available for public review on Thursday, December 31, 2009.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board

GOVERNMENT
DOCUMENTS DEPT

DATED: December 24, 2009

DEC 24 2009



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 12, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JAN - 8 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Chu

City and School District Select Committee

Supervisors Elsbernd, Dufty, Avalos, Yee, Fewer, Maufas

City Operations and Neighborhood Services Committee

Supervisors Dufty, Daly, Elsbernd

Government Audit and Oversight Committee

Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Alioto-Pier

Rules Committee

Supervisors Campos, Daly, Alioto-Pier

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room. Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sottf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

1. 090319 [Zoning Ordinance Providing for a Five Feet Special Height Exception for Ground Floor Commercial Uses in NC-1 Designated Parcels]
Sponsor: Avalos
Ordinance amending the San Francisco Planning Code by amending Section 263.20 to provide for a special height exception for commercial ground floor uses in NC-1 designated parcels within the boundaries of Sargent Street to Orizaba Avenue to Lobos Street to Plymouth Avenue to Farellones Street to San Jose Avenue to Alemany Boulevard to 19th Avenue to Randolph Street to Monticello Street and back to Sargent Street; amending Section 710.1, to refer to this special height exception; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

08/04/2009; SUBSTITUTED.

01/05/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi

2. 091385 **[Approving the Extension of the Existing Three-Year Plan for State-Funded Child Abuse Prevention Programs]**
 Sponsor: Mirkarimi
 Resolution approving the extension of City and County of San Francisco's Three-Year County Plan for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services Department)
- Question: Shall this Resolution be ADOPTED?**
3. 091440 **[Accept and Expend Grant - Second Chance Act Prisoner Reentry Initiative - \$600,000]**
 Sponsor: Duffy
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Bureau of Justice Assistance in the amount of \$600,000 to provide direct services for adult state prisoners and parolees; for the period of October 1, 2009, through September 30, 2010.
- Question: Shall this Resolution be ADOPTED?**

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

4. 091354 [Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health]
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 236.42 FTEs in various job classes and delete 200.16 FTEs in various job classes for 11.8 pay periods (January 17, 2010, through June 30, 2010) and add 66.35 FTEs in various job classes and delete 66.35 FTEs in various job classes for 13.1 pay periods (January 1, 2010, through June 30, 2010) in the Department of Public Health.

11/24/2009; DUPLICATED AND AMENDED. Duplicate of File No. 091203.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; CONTINUED AS AMENDED ON FIRST READING.

12/15/2009; PASSED ON FIRST READING.

01/05/2010; CONTINUED ON FINAL PASSAGE. Continued to January 12, 2010.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 090583 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]

Sponsors: Avalos; Campos, Mirkarimi and Mar

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending 37.9 to provide an owner the option of giving additional notice in lieu of making relocation payments for owner move-in eviction of a newly covered single-family home or individually owned condominium, provided the tenant was initially given specified notice of this status (new Section 37.9(a)(8)(ix)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

12/08/2009; PASSED ON FIRST READING.

12/15/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/15/2009; PASSED ON FIRST READING AS AMENDED.

01/05/2010; CONTINUED ON FINAL PASSAGE. Continued to January 12, 2010.

Question: Shall this Ordinance be FINALLY PASSED?

6. 090835 [Residential Rent Ordinance Prohibiting Owner Move-In Evictions of Households with a Child Under the Age of 18, Except by an Owner Moving In with a Child and Except Where the Owner Only Owns One Unit in the Building]

Sponsors: Mar; Chiu

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(j) to prohibit an owners move-in eviction where a child under the age of 18 resides in the unit with a tenant who has a custodial or family relationship with that child, and that tenant has resided in the unit for 12 months or more, except that this provision will not apply where there is only one unit owned by the landlord in the building or where the owner who will move into the unit pursuant to a Section 37.9(a)(8) eviction has a custodial or family relationship with a child under the age of 18 who will reside in the unit with the owner; and renumbering current Section 37.9(j) as Section 37.9(k).

(Supervisor Maxwell dissented in committee.)

01/05/2010; CONTINUED ON FIRST READING. Continued to January 12, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi

7. 091015 **[Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]**
Sponsors: Mirkarimi; Campos, Avalos and Daly
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding sections 3.600, 3.605, 3.610 and 3.615, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings and to require the Police Department to report to the Board of Supervisors regarding the cost of security.

12/15/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/15/2009, RE-REFERRED to the Public Safety Committee

01/05/2010, CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chiu

8. 091230 **[Department of Building Inspection Cash Revolving Fund]**
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from \$600 to \$2,000.
(Building Inspection Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 091421 **[Appropriating \$739,355 of Various Fee Revenues for Salaries, Fringe Benefits, and Services of Other Departments in the Department of Building Inspection for FY 2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$739,355 of Intergovernmental Memorandum of Understanding and Vacant Building Fee revenues for salaries and fringe benefits for limited duration positions to fund fee collection costs, and to fund a projected work order shortfall with the City Attorney, for the Department of Building Inspection for FY 2009-2010.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 091422 [Public Employment - Department of Building Inspection]
Sponsor: Mayor
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of eleven limited duration positions (4.9 FTE) in the Department of Building Inspection.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 091409 [Accept and Expend Grant - Sidney E. Frank Foundation and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$250,000]
Sponsor: Mayor
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Zero Energy Homes (SFZEH) Program which will create the tools necessary for San Franciscans to radically reduce the amount of energy they use and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 091420 [Accept and Expend Grant - Living Cities Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$175,000]
Sponsor: Mayor
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$175,000 from the Living Cities Initiative to support the City's Zero Energy Home Program by accelerating the use of home performance testing of existing buildings throughout the City and thus drive the market, which will create a range of employment and career growth options and amend Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 091465 [Appropriating \$1,743,767 of Library Capital Improvements Fund Balance for the Branch Library Improvement Program in the San Francisco Public Library for FY 2009-2010]
Sponsors: Mayor; Maxwell
Ordinance appropriating \$1,743,767 of Library Capital Improvements Fund Balance, which consists of interest earnings from General Obligation Bond proceeds sold for the Branch Library Improvement Program and rent income from the Visitacion Valley Public Library, to fund capital projects at the Bayview and Visitacion Valley Library locations as part of the Branch Library Improvement Program in the San Francisco Public Library for FY 2009-2010; placing \$1,683,967 on Controller's reserve.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 091452 [Approving Administrative Terms and Conditions for San Francisco Sustainable Financing Program]
Sponsors: Mayor; Mar and Duffy
Resolution approving administrative terms and conditions for the San Francisco Sustainable Financing Program; identifying the San Francisco Department of the Environment or its City agency designee as the Program Administrator for the City; setting reporting requirements; authorizing the execution of an administrative services agreement, and related matters.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present. Supervisors Chiu, Mirkarimi

15. 091436 [Accept and Expend Grant - U.S. Dept. of Justice/Office of Violence Against Women and Amendment to the Annual Salary Ordinance for FY 2009-2010 - \$698,970]
Sponsor: Chiu
Ordinance authorizing the San Francisco District Attorney's Office to retroactively accept and expend a grant in the amount of \$698,970 from the U.S. Department of Justice/Office of Violence Against Women - Grants to Encourage Arrest Policies and Enforcement of Protection Orders for the purpose of improving the criminal justice systems' response to limited English proficiency victims of domestic violence, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (.50 FTE) in Class 8129 Victim Witness Investigator at District Attorney's Office.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 091445 [Accept and Expend Grant - FY 2009 Second Chance Youth Offender Reentry Initiative and Amendment to the Annual Salary Ordinance, FY 2009 2010 - \$660,615]
Sponsor: Maxwell
Ordinance authorizing the Juvenile Probation Department ("JPD"), on behalf of the City and County of San Francisco, to retroactively accept and expend a grant in the amount of \$660,615 from the Office of Justice Programs ("OJP") for the United States Department of Justice for funding under the FY 2009 Second Chance Youth Offender Reentry Initiative ("Second Chance Grant Award"); and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.60 FTE) at the San Francisco Public Defender's Office (PDR).

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 091456 [Accept and Expend Grant - FY 2009 Homeland Security Grant Program and Amendment to the Annual Salary Ordinance, FY 2009-2010 - \$2,079,703]

Sponsor: Mayor

Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a FY 2009-2010 Homeland Security Grant Program grant in the amount of \$2,079,703 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one Class 5277 Planner I grant-funded position (0.50 FTE) at the General Services Agency (GSA- ADM) and one Class 5278 Planner II grant-funded position (0.50 FTE) at the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 091248, Resolution of Intention to establish Special Tax District in the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) and File No. 091249, Resolution of Intention to incur bonded indebtedness in an amount not greater than \$150,000,000 of special tax bonds setting the public hearing for January 12, 2010, at 3:00 p.m. approved at the Regular Meeting of November 24, 2009.)

Board of Supervisors Sitting as a Committee of the Whole

18. 091450 [Hearing - Special Tax District No. 2009-1 (San Francisco Sustainable Financing)]
Hearing of persons interested in or objecting to proposed Resolution of Formation to Establish and Determining Necessity to Incur Bonded Indebtedness (\$150,000,000) for Special Tax District No. 2009-1 (San Francisco Sustainable Financing), establish boundaries of said special tax district, to describe the facilities to be financed, to establish an appropriations limit, and to provide for other matters related thereto.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

19. 091448 [Resolution Determining Necessity to Incur Bonded Indebtedness - \$150,000,000]
Sponsors: Mayor; Mar and Dufty
Resolution determining necessity to incur bonded indebtedness in a maximum principal amount of \$150,000,000 within the boundaries of Special Tax District No. 2009-1 (San Francisco Sustainable Financing) and determining other matters in connection therewith.

Question: Shall this Resolution be ADOPTED?

20. 091449 [Resolution of Formation of Special Tax District No. 2009-1 San Francisco Sustainable Financing]
Sponsors: Mayor; Mar and Dufty
Resolution of formation to establish Special Tax District No. 2009-1 (San Francisco Sustainable Financing), establish boundaries of said special tax district, to describe the facilities to be financed, to establish an appropriations limit and to provide for other matters related thereto.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

21. 091345 [Public Hearing - Appeal of Conditional Use Appeal for 1969 California Street]

Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 17959 dated October 8, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0639C), under Planning Code Sections 209.9 and 303 to allow the establishment of an art gallery and associated offices (d.b.a. Anthony Meier Fine Art Gallery) within a designated City Landmark, Landmark #260, the Tobin House, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 1969 California Street, Assessor's Block No. 0649, Lot No. 016. (District 5) (Appellant: Greg Scott on behalf of Pacific Heights Residents Association) (Clerk of the Board)

(Filed 11/9/09 - Companion Measure to File Nos. 091346, 091347, 001348)

12/08/2009; CONTINUED. Continued to January 5, 2010.

01/05/2010; CONTINUED. Continued to January 12, 2010.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

22. 091346 [Approving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]

Motion approving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street, and adopting findings pursuant to Planning Code Section 101.1 (Clerk of the Board)

12/08/2009, CONTINUED Continued to January 5, 2010

01/05/2010, CONTINUED Continued to January 12, 2010

Question: Shall this Motion be APPROVED?

23. 091347 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street (Clerk of the Board)

12/08/2009, CONTINUED Continued to January 5, 2010

01/05/2010, CONTINUED Continued to January 12, 2010

Question: Shall this Motion be APPROVED?

24. 091348 [Preparation of Findings Related to the Conditional Use Appeal for 1969 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.0639C on property located at 1969 California Street, for action by the Board at its next meeting. (Clerk of the Board)

12/08/2009, CONTINUED Continued to January 5, 2010

01/05/2010, CONTINUED Continued to January 12, 2010

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**25. 091388 [Public Hearing - Appeals of Revocation of Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 16, 2009, revocation of a Minor Sidewalk Encroachment Permit No. 06MSE-0181 issued on January 23, 2007, on properties located at 77 O'Farrell and 48 Stockton Streets, Lot No. 003 in Assessor's Block No. 328. (District 6) (Appellant: Martin H. Orlick for 77 O'Farrell Street) (Clerk of the Board)

(Filed 11/30/09 - Companion Measure to Files 091389, 091390, 091488.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**26. 091389 [Approving Decision of the Department of Public Works to Revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]**

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and rejecting the appeal of Martin H. Orlick. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. 091390 [Disapproving Decision of the Department of Public Works to Revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]

Motion disapproving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and upholding the appeal of Martin H. Orlick. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 091488 [Findings Related to Board's Disapproval of the Decision of the Department of Public Works to Revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and uphold the appeal of Martin H. Orlick. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

29. 091483 **[Public Hearing - Appeals of Revocation of Minor Sidewalk Encroachment Permit for 77 O' Farrell and 48 Stockton Streets]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 16, 2009, revocation of a Minor Sidewalk Encroachment Permit No. 06MSE-0181 issued on January 23, 2007, on properties located at 77 O'Farrell and 48 Stockton Streets, Lot No. 003 in Assessor's Block No. 328. (District 6) (Appellant: Marshall C. Wallace for 48 Stockton Street) (Clerk of the Board)

(Filed 12/1/09 - Companion Measure to File Nos. 091485 and 091486)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. 091485 **[Approving Decision of the Department of Public Works to Revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]**
Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and rejecting the appeal of Marshall C. Wallace. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
31. 091486 **[Disapproving Decision of the Department of Public Works to Revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]**
Motion disapproving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and upholding the appeal of Marshall C. Wallace. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
32. 091487 **[Findings Related to Board's Disapproval of the Decision of the Department of Public Works to Revoke Encroachment Permit for 77 O'Farrell and 48 Stockton Streets]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 77 O'Farrell and 48 Stockton Streets, Assessor Block No. 328, Lot No. 003, in connection with the Central Subway Project, and uphold the appeal of Marshall C. Wallace. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

SPECIAL ORDER 4:00 P.M.**33. 091391 [Public Hearing - Appeal of Revocation of Minor Sidewalk Encroachment Permit for 24-34 Ellis Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated November 16, 2009, revocation of a Minor Sidewalk Encroachment Permit No. 03MSE-157 issued on June 7, 2006, on property located at 24-34 Ellis Street, Lot No. 008 in Assessor's Block No. 327. (District 6) (Appellant: Harvey C. Hacker) (Clerk of the Board)

(Filed 12/1/09 - Companion Measure to File Nos. 091392, 091393, 091489.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**34. 091392 [Approving Decision of the Department of Public Works to Revoke Encroachment Permit for 24-34 Ellis Street]**

Motion approving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 24-34 Ellis Street, Assessor Block No. 327, Lot No. 008, in connection with the Central Subway Project, and rejecting the appeal of Harvey C. Hacker. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

35. 091393 [Disapproving Decision of the Department of Public Works to Revoke Encroachment Permit for 24-34 Ellis Street]

Motion disapproving the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 24-34 Ellis Street, Assessor Block No. 327, Lot No. 003, in connection with the Central Subway Project, and upholding the appeal of Harvey C. Hacker. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

36. 091489 [Findings Related to Board's Disapproval of the Decision of the Department of Public Works to Revoke Encroachment Permit for 24-34 Ellis Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the decision of the Department of Public Works to revoke a Minor Sidewalk Encroachment Permit for 24-34 Ellis Street, Assessor Block No. 327, Lot No. 008, in connection with the Central Subway Project, and uphold the appeal of Harvey C. Hacker. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

(Pursuant to File No. 091484, Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on January 12, 2010, to hold a public hearing on File No. 091479 approved at the Regular Meeting of January 5, 2010.)

Board of Supervisors Sitting as a Committee of the Whole

37. 100026 **[Hearing - Annuling the Privilege to Occupy Certain Subsurface Encroachments Along the Central Subway Alignment]**
Hearing of persons interested in or objecting to proposed resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockton streets to accommodate the construction of the Central Subway project. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation**From the Land Use and Economic Development Committee**

38. 091479 **[Annuling the Privilege to Occupy Certain Subsurface Encroachments Along the Central Subway Alignment]**
Resolution annulling the privilege to occupy certain subsidewalk basement encroachments along 4th, Ellis, Geary, Market, O'Farrell, and Stockton Streets to accommodate the construction of the Central Subway Project. (Municipal Transportation Agency)

01/05/2010; REFERRED TO BOARD SITTING AS A COMMITTEE OF THE WHOLE.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 39 to 50

39. 091463 [Calling on Congress to Pass Meaningful Healthcare Reform that Promotes a Holistic Approach to Women's Health, Including Access to Reproductive Choice for All and a Robust Public Option]

Sponsors: Daly, Mirkarimi, Campos, Avalos and Mar

Resolution calling on Congress to pass meaningful healthcare reform that promotes a holistic approach to women's health with access to reproductive choice for all and a robust public option, opposing the Stupak Ellsworth-Pitts Amendment and an amendment proposed by Senator Ben Nelson that would limit reproductive choice, supporting a strong public option like that proposed by Senator John D. Rockefeller or Representative Raul Grijalva, urging the United States Senate to pass meaningful healthcare reform that ensures access to health services, including reproductive health, urging the US Senate to continue opposing the inclusion of anti-choice language in health care reform, encouraging conferees to remove the Stupak amendment and include a robust public option, and commending members of the California congressional delegation who supported a robust public option and opposed the restrictions on reproductive choice

12/15/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

01/05/2010, CONTINUED Continued to January 12, 2010.

Question: Shall this Resolution be ADOPTED?

40. 100012 [Supporting the Youth PROMISE Act]

Sponsor: Avalos

Resolution supporting HR 1064 and SB 435, the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act

01/06/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 100013 [International Human Trafficking Day and Human Trafficking Awareness Month]

Sponsors: Chu, Chun

Resolution supporting the San Francisco Collaborative Against Human Trafficking, International Human Trafficking Awareness Day and the month long campaign to bring awareness to human trafficking.

01/06/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 100014 [Accept and Expend Grant - National Endowment for the Arts Grant - \$50,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to accept and expend a grant in the amount of \$50,000 from the National Endowment for the Arts for WritersCorps' contracted teacher positions from the NEA's ARRA funds.

01/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 100015 [Accept and Expend Grant - CDC Kenya-Monitoring and Evaluation - \$48,837]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$48,837 from the Regents of the University of California, to assist with a project entitled "CDC Kenya-Monitoring and Evaluation;" for the period of November 1, 2009, through August 31, 2010.

01/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 100016 [Body Armor Prohibition]
Sponsor: Chiu
Resolution urging the Supreme Court to Review Lower Court's Ruling Overturning Ban on Felons Owning or Wearing Body Armor.

01/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 100017 [Declaring January 10, 2010, Lee Mallory Day in San Francisco]
Sponsor: Chiu
Resolution Declaring January 10, 2010, Lee Mallory Day in San Francisco.

01/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 100018 [Extending the Term of Service for the Biodiesel Access Taskforce to December 31, 2010]
Sponsor: Mirkarimi
Resolution extending the term of service for the Biodiesel Access Taskforce to December 31, 2010.

01/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 100019 **[Accept and Expend Grant - Health Impact Assessment of Congestion Pricing Policy - \$96,415]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant from the Robert Wood Johnson Foundation in the amount of \$96,415 to assist with a project entitled Health Impact Assessment of Congestion Pricing Policy for the period of January 15, 2010, through January 14, 2011.
- 01/06/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?**
48. 100001 **[Final Map 5705: 2540 – 2550 Hyde Street]**
Motion approving Final Map 5705, a 6 Unit Residential Condominium Project, located at 2540 - 2550 Hyde Street being a subdivision of Lot 046 in Assessors Block No. 0045 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
- 01/04/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
49. 100002 **[Final Map 5468 – 2395 Lombard Street]**
Motion approving Final Map 5468, a 3 Unit Commercial and 12 Unit Residential Mixed-Use Condominium Project, located at 2395 Lombard Street being a subdivision of Lot 041 in Assessors Block No. 0512 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
- 01/04/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
50. 100003 **[Final Map 5587 – 700 Valencia Street]**
Motion approving Final Map 5587, a Nine Residential Unit and Three Commercial Unit Mixed-Use Condominium Project, located at 700 Valencia Street being a subdivision of Lot 001 in Assessors Block No. 3588 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
- 01/04/2010, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

Questions on the For Adoption Without Committee Reference Agenda: _____

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from December 29, 2009, to January 5, 2010, for reference by President to appropriate committee on January 12, 2010.

100029 [Acceptance of Sewer Main and Reissuance of Encroachment Permit for Poppy Lane]

Ordinance accepting an irrevocable offer for a sewer main; dedicating said improvements for public use; accepting a sewer main on Poppy Lane for maintenance and liability purposes; rescinding Resolution No. 493-00 in order to modify and reissue the major encroachment permit for 101 Poppy Lane in accordance with this Ordinance; accepting Department of Public Works Order No. 178,477; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the eight priority policies of City Planning Code section 101.1; and authorizing official acts in connection with this Ordinance. (Public Works Department)

12/30/2009; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 29, 2009, to January 5, 2010, for reference by President to appropriate committee on January 12, 2010.

100027 [Approving the City and County's Triennial Self Assessment and Review of its Child Welfare and Juvenile Probation Placement Services]

Resolution approving San Francisco's Child and Family Services Review - Self Assessment, a review of its Child Welfare and Juvenile Probation Placement Services, including a needs assessment for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services Department)

01/04/2010; RECEIVED AND ASSIGNED to the Public Safety Committee.

100028 [Approval of the Mental Health Services Act Information Technology Component and Technological Needs Three Year Program and Expenditure Plan]

Resolution approving the Mental Health Services Act Information Technology Component and Technical Needs Three Year Program and Expenditure Plan (IT Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement. (Public Health Department)

01/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100034 [Petitions and Communications]

Petitions and Communications received from December 29, 2009, through January 4, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 12, 2010.

From Jaime Moran, regarding the gas station at 4199 Mission Street. (1)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from December 30, 2009, until January 4, 2010. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor, City Attorney (2)

From S.F. Labor Council, submitting resolution in support of keeping the Public Community Access Station open. Copy: Each Supervisor (3)

From Department of Public Works, submitting an attendance report for the Board of Supervisor's six appointees to the Graffiti Advisory Board for FY 2008/2009. (4)

From Ivan Pratt, regarding the environment. (5)

From concerned citizens, regarding the Central Subway Project. (6)

From David Black, submitting opposition to proposed plan to restrict parking in North Beach. (7)

From Ahimsa Sumchai, regarding the Hunters Point Shipyard. (8)

From Eve Harris, regarding pets in public places. (9)

From Ziggy Tomcich, regarding the price of a Muni Fast Pass. (10)

From State Public Utilities Commission, submitting notice that Pacific Gas and Electric Company has filed an application for a fare hike in January 2011. Copy: Each Supervisor (11)

ADJOURNMENT



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

GOVERNMENT
DOCUMENTS DEPT

Date: Tuesday, January 26, 2010

JAN 19 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

SAN FRANCISCO
PUBLIC LIBRARY

Subject: Public Hearing to consider objections to a report of delinquent transfer taxes submitted by the County Recorder, as modified to the date of adoption of this Resolution, and creating special assessments and liens based thereon pursuant to Section 1115.1 of the Real Property Transfer Tax Ordinance (under San Francisco Business and Tax Regulations Code Article 12-C)

A copy of the report is attached, which contains the names of the persons liable for the tax, the total amount due, including delinquent taxes, penalties and interest, and a description of the real property that was transferred by the document recorded without full payment of tax.

At the public hearing, the Board of Supervisors will hear objections which may be raised by any property owner liable to be assessed, and may make such corrections, revisions or modifications to the report as it deems just. Confirmation of the report by the Board of Supervisors will result in special assessments of the property and addition of these assessments to the tax roll.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be



THE [illegible] OF [illegible]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

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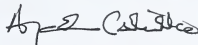
[illegible text]

[illegible text]

[illegible text]

[illegible text]

made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Information relating to this matter will be available for public review on Thursday, January 21, 2010.

A handwritten signature in black ink, appearing to read 'Angela Calvillo', written in a cursive style.

Angela Calvillo
Clerk of the Board

DATED: January 15, 2010



San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2009-1879599-00
Acct 23-San Francisco County Recorder
Monday, NOV 30, 2009 14:55:02
Ttl Pd \$0.00 Rcpt # 0003802477
REEL K028 IMAGE 0536
ogl/GG/1-6

Recording Requested By:

San Francisco County Assessor-Recorder, Records Division
City Hall, Room 190

NOTICE OF DELINQUENT TAX

Real Property Transfer Tax
Tax File No.

APN: Block (see attached Exhibit A) Lot (see attached Exhibit A)

Pursuant to Section 1115 of Article 12C of Part III, San Francisco Municipal Code, the County Recorder has determined that the full amount of Real Property Transfer Tax was not paid when the property transferred as described below:

The Roman Catholic Welfare Corporation of San Francisco
One Peter Yorke Way
San Francisco, CA 94109

:Seller (Transferor)

The Roman Catholic Archbishop of San Francisco, A Corporation Sole
One Peter Yorke Way
San Francisco, CA 94109

:Buyer (Transferee)

Property transfer date: on or before July 16, 2008

Real Property Description: See Real Property Description attached as Exhibit "A"

The County Recorder hereby gives notice that the transfer tax resulting from said transfer is delinquent in the amount set forth below and that said delinquency is subject to the penalties and interest against the real property described on this Notice of Delinquent Tax.

Amount now due:

| | |
|----------------------------|------------------------------|
| Delinquent tax amount | \$5,057,758.00 |
| Delinquent penalty | \$1,770,215.30 |
| Interest on delinquent tax | \$809,241.28 |
| Total Now Due: | <u>\$7,637,214.58</u> |

Additional interest will accrue on the delinquent tax amount at the rate of 1% per month or fraction of any month, until all amounts due are paid in full.

If the tax, penalties and interest are not paid within thirty (30) days of the date hereof, proceedings will be initiated to schedule a noticed hearing before the Board of Supervisors for the purpose of imposing a lien for the unpaid tax, penalties and interest against the real property described on this Notice of Delinquent Tax.

The taxpayers named above ("Buyer" and "Seller") have the right to appeal this delinquent tax determination to the Transfer Tax Review Board but to do so a Petition for Review must be filed with said Board within ten (10) days following mailing or service of this notice.

George E. Goggin
for Phil Ting
Assessor-Recorder



EXHIBIT A

EXHIBIT "A" TO DEED FROM THE ROMAN CATHOLIC WELFARE
CORPORATION OF SAN FRANCISCO TO THE ROMAN CATHOLIC
ARCHBISHOP OF SAN FRANCISCO, A CORPORATION SOLE

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|------------------------|
| 1. | 0089 011 | 608 FILBERT ST. |
| 2. | 0089 014 | 630 - 632 FILBERT ST. |
| 3. | 0089 018 | 1800 POWELL ST. |
| 4. | 0131 009A | 624 VALLEJO ST. |
| 5. | 0271 001B | 625 - 631 PINE ST. |
| 6. | 0271 001C | xxxxxxxxxxx |
| 7. | 0271 023 | 635 - 659 PINE ST. |
| 8. | 0349 011 | 175 GOLDEN GATE AVE. |
| 9. | 0538 007 | 2300 - 2340 GREEN ST. |
| 10. | 0538 013 | 2810 PIERCE ST. |
| 11. | 0575 011 | 2230 FRANKLIN ST. |
| 12. | 0575 013 | 1695 BROADWAY |
| 13. | 0575 014 | 1615 BROADWAY |
| 14. | 0711 031 | 1100 ELLIS ST. |
| 15. | 0735 021 | xxxxxxxxxxx |
| 16. | 0735 022 | xxxxxxxxxxx |
| 17. | 0737 001 | 1047 ELLIS ST. |
| 18. | 0737 008 | 972V EDDY ST. |
| 19. | 0737 014 | 1075 ELLIS ST. |
| 20. | 0737 015 | xxxxxxxxxxx |
| 21. | 0737 016 | 1075 ELLIS ST. |
| 22. | 0744 009 | 930 GOUGH ST. |
| 23. | 0744 009A | 868 - 870 TURK ST. |
| 24. | 1223 008 | 1530 PAGE ST. |
| 25. | 1380 001 | 101 20TH AVE. |
| 26. | 1439 023 | 4350 GEARY BLVD. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|-----------------------------------|
| 27. | 1440 011 | 370 9TH AVE. |
| 28. | 1455 017 | 5920 GEARY BLVD. |
| 29. | 1455 018 | 476 24TH AVE. |
| 30. | 1455 041 | xxxxxxxxxxxxxx |
| 31. | 1605 001 | 3801 BALBOA ST. |
| 32. | 1753 017 | 1270 5TH AVE. |
| 33. | 1768 001 | 1324 – 1330 14 TH AVE. |
| 34. | 1768 017 | 1350 14TH AVE. |
| 35. | 1768 018 | 1330 14TH AVE. |
| 36. | 1768 019 | 1300 14TH AVE. |
| 37. | 1768 026 | xxxxxxxxxxxxxx |
| 38. | 1885 010A | 3350 LAWTON ST. |
| 39. | 1885 051 | 1555 39TH AVE. |
| 40. | 1885 052 | 3350 LAWTON ST. |
| 41. | 1885 053 | 1560 40TH AVE. |
| 42. | 2418 004B | 2555 17TH AVE. |
| 43. | 2418 004C | 2550 18TH AVE. |
| 44. | 2441 010 | 2559 40TH AVE. |
| 45. | 2694 028 | 117 DIAMOND ST. |
| 46. | 2694 033 | 115 DIAMOND ST. |
| 47. | 2831 017 | 4174 24TH ST. |
| 48. | 2831 018 | 4174 24TH ST. |
| 49. | 2831 018A | 4182 - 4184 24TH ST. |
| 50. | 2831 019 | 4186 - 4188 24TH ST. |
| 51. | 2831 024 | 655 ELIZABETH ST. |
| 52. | 2831 026 | 651V ELIZABETH ST. |
| 53. | 2915 001 | 201 ULLOA ST. |
| 54. | 2936B 007 | 235 ULLOA ST. |
| 55. | 3120 051 | 450 EDNA ST. |
| 56. | 3121 037 | 419 HEARST AVE. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|--------------------------|
| 57. | 3180 002 | 100 PHELAN AVE. |
| 58. | 3517 037 | 260 10 TH ST. |
| 59. | 3517 038 | 250 10 TH ST. |
| 60. | 3566 054 | 3399 16TH ST. |
| 61. | 3566 055 | 401 CHURCH ST. |
| 62. | 3574 085 | 376 - 382 SHOTWELL ST. |
| 63. | 3574 086 | 3270 18TH ST. |
| 64. | 3591 011 | 741 SOUTH VAN NESS AVE. |
| 65. | 3631 011 | 126V FAIR OAKS ST. |
| 66. | 3631 012 | XXXXXXXXXXXXXXXXXX |
| 67. | 3631 013 | 138V FAIR OAKS ST. |
| 68. | 3631 014 | 198 FAIR OAKS ST. |
| 69. | 3733 106 | 366 - 398 CLEMENTINA ST. |
| 70. | 4036 013 | 376 MISSOURI ST. |
| 71. | 4068 021 | XXXXXXXXXXXXXXXXXX |
| 72. | 4269 017 | 2909 24TH ST. |
| 73. | 4269 027 | 1245 ALABAMA ST. |
| 74. | 4269 028 | 1255 ALABAMA ST. |
| 75. | 4994 002 | 1060 KEY AVE. |
| 76. | 4994 003 | 1060 KEY AVE. |
| 77. | 5502 002 | 3106 FOLSOM ST. |
| 78. | 5502 003 | 298 PRECITA AVE. |
| 79. | 5524 076 | XXXXXXXXXXXXXXXXXX |
| 80. | 5524 077 | 1550 TREAT AVE. |
| 81. | 5524 078 | 1560 TREAT AVE. |
| 82. | 5524 081 | 3255 FOLSOM ST. |
| 83. | 6044 007 | 474 SOMERSET ST. |
| 84. | 6044 008A | XXXXXXXXXXXXXXXXXX |
| 85. | 6045 002G | 454 GOETTINGEN ST. |
| 86. | 6309 055 | 655 SUNNYDALE AVE. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|-------------------------|
| 87. | 6309 090 | 701 SUNNYDALE AVE. |
| 88. | 6309 122 | xxxxxxxxxxxxxx |
| 89. | 6309 123 | xxxxxxxxxxxxxx |
| 90. | 6353 001 | 845 VIENNA ST. |
| 91. | 6354 015 | 827 - 829 VIENNA ST. |
| 92. | 6512 001A | 319 FAIR OAKS ST. |
| 93. | 6512 028 | 325 - 351 FAIR OAKS ST. |
| 94. | 6619 002 | 316 29TH ST. |
| 95. | 6619 003 | 1690 CHURCH ST. |
| 96. | 6721 017 | 81 SAINT MARY'S AVE. |
| 97. | 6721 027 | 19V SAINT MARY'S AVE. |
| 98. | 6721 028 | 98 BOSWORTH ST. |
| 99. | 6736 030 | xxxxxxxxxxxxxxxx |
| 100. | 6736 034 | 925 CHENERY ST. |
| 101. | 6748 061 | 4056 - 4060 MISSION ST. |
| 102. | 6748 062 | xxxxxxxxxxxxxxxx |
| 103. | 6796 050 | 55 - 61 FRANCIS ST. |
| 104. | 6796 052 | 75 FRANCIS ST. |
| 105. | 6940 001 | 251 - 271 JULES AVE. |
| 106. | 7108 053 | 45 FARALLONES ST. |
| 107. | 7108 054 | 55 FARALLONES ST. |
| 108. | 7295 017 | 475 EUCALYPTUS DR. |
| 109. | 7295 018 | 401 EUCALYPTUS DR. |
| 110. | 7380 010 | 2 THOMAS MORE WAY |
| 111. | 7380 011 | xxxxxxxxxxxxxxxx |

Recording Requested By:

San Francisco County Assessor-Recorder, Records Division
City Hall, Room 190

NOTICE OF DELINQUENT TAX

Real Property Transfer Tax

Tax File No.

APN: Block (see attached Exhibit A) Lot (see attached Exhibit A)

San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2009-I879600-00
Acct 23-San Francisco County Recorder
Monday, NOV 30, 2009 14:56:25
Ttl Pd \$0.00 Rcpt # 0003802478
REEL K028 IMAGE 0537
ogl/GG/1-10

Pursuant to Section 1115 of Article 12C of Part III, San Francisco Municipal Code, the County Recorder has determined that the full amount of Real Property Transfer Tax was not paid when the property transferred as described below:

The Roman Catholic Archbishop of San Francisco, A Corporation Sole
One Peter Yorke Way
San Francisco, CA 94109

:Seller (Transferor)

The Archdiocese of San Francisco Parish and School Juridic Persons
Real Property Support Corporation
1301 Post Street, Suite 102
San Francisco, CA 94109

:Buyer (Transferee)

Property transfer date: on or before July 16, 2008

Real Property Description: See Real Property Description attached as Exhibit "A"

The County Recorder hereby gives notice that the transfer tax resulting from said transfer is delinquent in the amount set forth below and that said delinquency is subject to the penalties and interest against the real property described on this Notice of Delinquent Tax.

Amount now due:

| | |
|----------------------------|-------------------------------|
| Delinquent tax amount | \$9,360,078.00 |
| Delinquent penalty | \$3,276,027.30 |
| Interest on delinquent tax | \$1,497,612.48 |
| Total Now Due: | <u>\$14,133,717.78</u> |

Additional interest will accrue on the delinquent tax amount at the rate of 1% per month or fraction of any month, until all amounts due are paid in full.

If the tax, penalties and interest are not paid within thirty (30) days of the date hereof, proceedings will be initiated to schedule a noticed hearing before the Board of Supervisors for the purpose of imposing a lien for the unpaid tax, penalties and interest against the real property described on this Notice of Delinquent Tax.

The taxpayers named above ("Buyer" and "Seller") have the right to appeal this delinquent tax determination to the Transfer Tax Review Board but to do so a Petition for Review must be filed with said Board within ten (10) days following mailing or service of this notice.

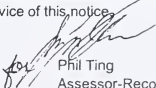

Phil Ting
Assessor-Recorder

EXHIBIT A

EXHIBIT "A" TO DEED FROM THE ROMAN CATHOLIC ARCHBISHOP OF SAN
FRANCISCO, A CORPORATION SOLE TO THE ARCHDIOCESE OF SAN
FRANCISCO PARISH AND SCHOOL JURIDIC PERSONS REAL PROPERTY
SUPPORT CORPORATION

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|--------------------------|
| 1. | 0077 002 | 1727 - 1731 GRANT AVE. |
| 2. | 0089 010 | 1701 - 1715 STOCKTON ST. |
| 3. | 0089 011 | 608 FILBERT ST. |
| 4. | 0089 013 | 622 - 626 FILBERT ST. |
| 5. | 0089 014 | 630 - 632 FILBERT ST. |
| 6. | 0089 015 | 650 FILBERT ST. |
| 7. | 0089 016 | 666 FILBERT ST. |
| 8. | 0089 018 | 1800 POWELL ST. |
| 9. | 0089 030 | 1836 POWELL ST. |
| 10. | 0090 001 | 1861 POWELL ST. |
| 11. | 0195 020 | 848 - 868 KEARNY ST. |
| 12. | 0241 011 | 660 CALIFORNIA ST. |
| 13. | 0241 012 | 680 CALIFORNIA ST. |
| 14. | 0271 001B | 625 - 631 PINE ST. |
| 15. | 0271 001C | xxxxxxxxxx |
| 16. | 0271 012 | 564 BUSH ST. |
| 17. | 0271 023 | 635 - 659 PINE ST. |
| 18. | 0271 024 | 566 BUSH ST. |
| 19. | 0349 011 | 175 GOLDEN GATE AVE. |
| 20. | 0349 012 | 135 GOLDEN GATE AVE. |
| 21. | 0349 013 | xxxxxxxxxxxx |
| 22. | 0538 003 | 2943 - 2947 STEINER ST. |
| 23. | 0538 004 | 2929 STEINER ST. |
| 24. | 0538 005 | 2300 GREEN ST. |
| 25. | 0538 006 | 2320 GREEN ST. |
| 26. | 0538 007 | 2300 - 2340 GREEN ST. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|------------------------|
| 27. | 0538 013 | 2810 PIERCE ST. |
| 28. | 0575 011 | 2230 FRANKLIN ST. |
| 29. | 0575 013 | 1695 BROADWAY |
| 30. | 0650 005 | XXXXXXXXXXXXXX |
| 31. | 0711 031 | 1100 ELLIS ST. |
| 32. | 0711 032 | 1111 GOUGH ST. |
| 33. | 0711 033 | 1103 GOUGH ST. |
| 34. | 0735 020 | 1010 EDDY ST. |
| 35. | 0735 021 | XXXXXXXXXXXXXX |
| 36. | 0735 022 | XXXXXXXXXXXXXX |
| 37. | 0737 001 | 1047 ELLIS ST. |
| 38. | 0737 008 | 972V EDDY ST. |
| 39. | 0737 014 | 1075 ELLIS ST. |
| 40. | 0737 015 | XXXXXXXXXXXXXX |
| 41. | 0737 016 | 1075 ELLIS ST. |
| 42. | 0744 009 | 930 GOUGH ST. |
| 43. | 0744 009A | 868 - 870 TURK ST. |
| 44. | 0816 005 | 245 LINDEN ST. |
| 45. | 1223 002 | 1025 MASONIC AVE. |
| 46. | 1223 003 | 1520 PAGE ST. |
| 47. | 1223 008 | 1530 PAGE ST. |
| 48. | 1223 022 | 1639 OAK ST. |
| 49. | 1223 023 | 1637 OAK ST. |
| 50. | 1223 024 | 1631 OAK ST. |
| 51. | 1223 027 | 1611 OAK ST. |
| 52. | 1380 001 | 101 20TH AVE. |
| 53. | 1439 022 | 4340 GEARY BLVD. |
| 54. | 1439 023 | 4350 GEARY BLVD. |
| 55. | 1440 011 | 370 9TH AVE. |
| 56. | 1440 014 | 4410 GEARY BLVD. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|------------------------|
| 57. | 1440 018A | 4420 GEARY BLVD. |
| 58. | 1455 013 | 5900 GEARY BLVD. |
| 59. | 1455 017 | 5920 GEARY BLVD. |
| 60. | 1455 018 | 476 24TH AVE. |
| 61. | 1455 020 | 462 24TH AVE. |
| 62. | 1455 041 | XXXXXXXXXXXX |
| 63. | 1605 001 | 3801 BALBOA ST. |
| 64. | 1605 036 | 720 40TH AVE. |
| 65. | 1605 037 | 3835 BALBOA ST. |
| 66. | 1753 013 | 1280 - 1290 05TH AVE. |
| 67. | 1753 017 | 1270 5TH AVE. |
| 68. | 1768 001 | 1324 - 1330 14TH AVE. |
| 69. | 1768 008 | 810 JUDAH ST. |
| 70. | 1768 009 | 850 JUDAH ST. |
| 71. | 1768 015A | 1366 14TH AVE. |
| 72. | 1768 015B | 1362 14TH AVE. |
| 73. | 1768 017 | 1350 14TH AVE. |
| 74. | 1768 018 | 1330 14TH AVE. |
| 75. | 1768 019 | 1300 14TH AVE. |
| 76. | 1768 026 | XXXXXXXXXXXX |
| 77. | 1768 027 | XXXXXXXXXXXX |
| 78. | 1884 057 | XXXXXXXXXXXX |
| 79. | 1885 010A | 3350 LAWTON ST. |
| 80. | 1885 051 | 1555 39TH AVE. |
| 81. | 1885 052 | 3350 LAWTON ST. |
| 82. | 1885 053 | 1560 40TH AVE. |
| 83. | 2418 004 | 2535V 17TH AVE. |
| 84. | 2418 004A | 2555 17TH AVE. |
| 85. | 2418 004B | 2555 17TH AVE. |
| 86. | 2418 004C | 2550 18TH AVE. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|------------------------|
| 87. | 2418 004D | 600 VICENTE ST. |
| 88. | 2441 006 | 2539 40TH AVE. |
| 89. | 2441 010 | 2559 40TH AVE. |
| 90. | 2441 051 | 2535 40TH AVE. |
| 91. | 2441 052 | 2540 41ST AVE. |
| 92. | 2693 001 | 100 DIAMOND ST. |
| 93. | 2693 002 | 110 DIAMOND ST. |
| 94. | 2693 033 | 4321 - 4323 18TH ST. |
| 95. | 2693 033A | 4315V 18TH ST. |
| 96. | 2693 034 | 4311 18TH ST. |
| 97. | 2694 028 | 117 DIAMOND ST. |
| 98. | 2694 033 | 115 DIAMOND ST. |
| 99. | 2831 017 | 4174 24TH ST. |
| 100. | 2831 018 | 4174 24TH ST. |
| 101. | 2831 018A | 4182 - 4184 24TH ST. |
| 102. | 2831 019 | 4186 - 4188 24TH ST. |
| 103. | 2831 022 | 725 DIAMOND ST. |
| 104. | 2831 023 | 711 DIAMOND ST. |
| 105. | 2831 024 | 655 ELIZABETH ST. |
| 106. | 2831 026 | 651V ELIZABETH ST. |
| 107. | 2831 027 | 645 ELIZABETH ST. |
| 108. | 2902 050 | xxxxxxxxxxxxx |
| 109. | 2915 001 | 201 ULLOA ST. |
| 110. | 2936B 001 | 1 ROCKAWAY AVE. |
| 111. | 2936B 006 | xxxxxxxxxxxxx |
| 112. | 2936B 007 | 235 ULLOA ST. |
| 113. | 2936B 010 | 242V ULLOA ST. |
| 114. | 2936B 018 | 33V ROCKWOOD CT. |
| 115. | 2936B 019 | xxxxxxxxxxxxx |
| 116. | 2936B 025 | 29 ROCKAWAY AVE. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|--------------------------|
| 117. | 3120 051 | 450 EDNA ST. |
| 118. | 3121 001 | 419 EDNA ST. |
| 119. | 3121 004 | 415 EDNA ST. |
| 120. | 3121 005 | 415 EDNA ST. |
| 121. | 3121 006 | 411 EDNA ST. |
| 122. | 3121 037 | 419 HEARST AVE. |
| 123. | 3180 002 | 100 PHELAN AVE. |
| 124. | 3566 001 | 310 DOLORES ST. |
| 125. | 3566 002 | xxxxxxxxxxxxx |
| 126. | 3566 002A | 3321 16TH ST. |
| 127. | 3566 054 | 3399 16TH ST. |
| 128. | 3566 055 | 401 CHURCH ST. |
| 129. | 3567 032 | 303 - 305 DOLORES ST. |
| 130. | 3567 033 | 301 DOLORES ST. |
| 131. | 3574 085 | 376 - 382 SHOTWELL ST. |
| 132. | 3574 086 | 3270 18TH ST. |
| 133. | 3591 011 | 741 SOUTH VAN NESS AVE. |
| 134. | 3591 013 | 713 SOUTH VAN NESS AVE. |
| 135. | 3591 014 | 701 SOUTH VAN NESS AVE |
| 136. | 3631 011 | 126V FAIR OAKS ST. |
| 137. | 3631 012 | xxxxxxxxxxxxx |
| 138. | 3631 013 | 138V FAIR OAKS ST. |
| 139. | 3631 014 | 198 FAIR OAKS ST. |
| 140. | 3632 012 | 1086 GUERRERO ST. |
| 141. | 3632 013 | 1098 GUERRERO ST. |
| 142. | 3706 014 | 766 MISSION ST. |
| 143. | 3706 068 | 748 MISSION ST. |
| 144. | 3733 106 | 366 - 398 CLEMENTINA ST. |
| 145. | 4036 013 | 376 MISSOURI ST. |
| 146. | 4036 015 | 390 MISSOURI ST. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|-------------------------|
| 147. | 4036 017 | 390 MISSOURI ST. |
| 148. | 4068 021 | XXXXXXXXXXXXXXXX |
| 149. | 4269 016 | 2913 - 2915 24TH ST. |
| 150. | 4269 017 | 2909 24TH ST. |
| 151. | 4269 025 | 1200 - 1240 FLORIDA ST. |
| 152. | 4269 026 | 1237 ALABAMA ST. |
| 153. | 4269 027 | 1245 ALABAMA ST. |
| 154. | 4269 028 | 1255 ALABAMA ST. |
| 155. | 4270 038 | XXXXXXXXXXXXXXXX |
| 156. | 4647A 001A | 404 HAWES ST. |
| 157. | 4647A 004 | 1008V INNES AVE. |
| 158. | 4647A 014 | 1025V HUDSON AVE. |
| 159. | 4647A 015 | 410 HAWES ST. |
| 160. | 4968 033 | 1122 JAMESTOWN AVE. |
| 161. | 4994 002 | 1060 KEY AVE. |
| 162. | 4994 003 | 1060 KEY AVE. |
| 163. | 5321 008A | 1728 PALOU AVE. |
| 164. | 5321 052 | 1440 NEWHALL ST. |
| 165. | 5502 001 | 3203V CESAR CHAVEZ ST. |
| 166. | 5502 002 | 3106 FOLSOM ST. |
| 167. | 5502 003 | 298 PRECITA AVE. |
| 168. | 5502 008 | 3215 CESAR CHAVEZ ST. |
| 169. | 5502 009 | 3211 CESAR CHAVEZ ST. |
| 170. | 5524 056 | 3251 FOLSOM ST. |
| 171. | 5524 076 | XXXXXXXXXXXXXXXX |
| 172. | 5524 077 | 1550 TREAT AVE. |
| 173. | 5524 078 | 1560 TREAT AVE. |
| 174. | 5524 080 | 3255 FOLSOM ST. |
| 175. | 5524 081 | 3255 FOLSOM ST. |
| 176. | 5681 001 | 704 CORTLAND AVE. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|---------------------------|
| 177. | 5681 011 | 704 CORTLAND AVE. |
| 178. | 5682 006 | 332 - 334 GATES ST. |
| 179. | 5705 002 | 402 ELLSWORTH ST. |
| 180. | 5705 031 | 407 ANDERSON ST. |
| 181. | 5705 032 | 401 ANDERSON ST. |
| 182. | 6044 007 | 474 SOMERSET ST. |
| 183. | 6044 007A | 475 HOLYOKE ST. |
| 184. | 6044 008A | XXXXXXXXXXXXX |
| 185. | 6045 002G | 454 GOETTINGEN ST. |
| 186. | 6045 019 | 459 SOMERSET ST. |
| 187. | 6309 053 | 701 SUNNYDALE AVE. |
| 188. | 6309 054 | 655 SUNNYDALE AVE. |
| 189. | 6309 055 | 655 SUNNYDALE AVE. |
| 190. | 6309 090 | 701 SUNNYDALE AVE. |
| 191. | 6309 122 | XXXXXXXXXXXXX |
| 192. | 6309 123 | XXXXXXXXXXXXX |
| 193. | 6353 001 | 845 VIENNA ST. |
| 194. | 6353 003 | 601 AMAZON AVE. |
| 195. | 6354 015 | 827 - 829 VIENNA ST. |
| 196. | 6354 021 | 845 VIENNA ST. |
| 197. | 6512 001A | 319 FAIR OAKS ST. |
| 198. | 6512 028 | 325 - 351 FAIR OAKS ST. |
| 199. | 6619 001 | 1660 CHURCH ST. |
| 200. | 6619 002 | 316 29TH ST. |
| 201. | 6619 003 | 1690 CHURCH ST. |
| 202. | 6619 031 | 221 VALLEY ST. |
| 203. | 6721 013 | 56 BOSWORTH ST. |
| 204. | 6721 017 | 81 SAINT MARY'S AVE. |
| 205. | 6721 022 | 19 - 61 SAINT MARY'S AVE. |
| 206. | 6721 027 | 19V SAINT MARY'S AVE. |

| <u>SL. NO.</u> | <u>A. P. N.</u> | <u>SITE / LOCATION</u> |
|----------------|-----------------|---------------------------|
| 207. | 6721 028 | 98 BOSWORTH ST. |
| 208. | 6721 029 | 19 SAINT MARY'S AVE. |
| 209. | 6736 030 | XXXXXXXXXXXXXXXXXX |
| 210. | 6736 034 | 925 CHENERY ST. |
| 211. | 6748 061 | 4056 - 4060 MISSION ST. |
| 212. | 6748 062 | XXXXXXXXXXXXXXXXXX |
| 213. | 6796 021 | 54 SANTA ROSA AVE. |
| 214. | 6796 024 | 64 SANTA ROSA AVE. |
| 215. | 6796 050 | 55 - 61 FRANCIS ST. |
| 216. | 6796 052 | 75 FRANCIS ST. |
| 217. | 6933 012 | XXXXXXXXXXXXXXXXXX |
| 218. | 6940 001 | 251 - 271 JULES AVE. |
| 219. | 6940 038 | 286 ASHTON AVE. |
| 220. | 6940 040 | 351 DE MONTFORT AVE. |
| 221. | 7108 054 | 55 FARALLONES ST. |
| 222. | 7108 055 | 32 BROAD ST. |
| 223. | 7108 056 | 32 BROAD ST. |
| 224. | 7295 010 | 475 EUCALYPTUS DR. |
| 225. | 7295 011 | 473 EUCALYPTUS DR. |
| 226. | 7295 015 | 601 EUCALYPTUS DR. |
| 227. | 7295 017 | 475 EUCALYPTUS DR. |
| 228. | 7295 018 | 401 EUCALYPTUS DR. |
| 229. | 7380 010 | 2 THOMAS MORE WAY |
| 230. | 7380 011 | XXXXXXXXXXXXXXXXXX |
| 231. | 7380 039 | 1 ST. THOMAS MORE WAY |
| 232. | 7380 040 | 1300 JUNIPERO SERRA BLVD. |

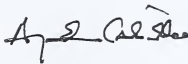
NOTICE OF PUBLIC HEARING PROPOSED REDUCTIONS IN HEALTH SERVICES
FISCAL YEAR 2009-2010

The San Francisco Board of Supervisors will conduct a Beilenson Hearing pursuant to Section 1442.5 of the California Health and Safety Code (Beilenson Act) on the elimination and/or reduction of health care services to indigents provided by the City and County of San Francisco for fiscal year 2009-2010. The Beilenson Hearing will be held:

TUESDAY, JANUARY 26, 2010, AT 3:00 PM
LEGISLATIVE CHAMBER OF CITY HALL
#1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CALIFORNIA

At this hearing, the Board of Supervisors of the City and County of San Francisco will consider the impact of the proposed elimination and reduction of health services on the health care needs of the county's indigents. Public testimony, both oral and written, will be accepted at this hearing.

The San Francisco Department of Public Health has prepared the attached list of proposed budget reductions that are subject to Beilenson Hearing. The list includes the elimination and reduction of health services to the county's indigents. Although California Health and Safety Code Section 1442.5 does not require notice on the elimination and reduction of mental health and substance abuse services, the Department of Public Health has included these changes in its attached list. Further information is available by telephoning the Department of Public Health at 554-2610. For information on medical services, access and eligibility, please call 206-8000.



Angela Calvillo
Clerk of the Board

GOVERNMENT
DOCUMENTS DEPT

JAN 13 2010

SAN FRANCISCO
PUBLIC LIBRARY

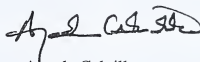
**AVISO DE AUDENCIA PUBLICA PARA REDUCIR EL PROSUPUESTO
PARA SERVICIOS DE SALUD IMPACTANDO AÑO FISCAL 2009-2010**

La Mesa Directiva de Supervisores de San Francisco llevara a cabo una Audencia Beilenson según la sección 1442.5 del Código de Salud y Seguridad de California (Ley Beilenson) sobre la eliminación y reducción de servicios de salud proveídos por la Ciudad y Condado de San Francisco para las persona indigentes y desamparados. Esta audencia impacta el año 2009-2010 y se llevara a cabo:

MARTES, 26 DE ENERO, 2010, A LAS 3:00 PM
CAMARA LEGISLATIVA DE LA ALCALDÍA
#1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CALIFORNIA

Durante esta audencia, los Supervisores consideraran el impacto que tendran los propuestos cortes en el presupuesto de reducción de servicios de salud para las persona indigentes y desamparados. En esta audencia se aceptaran testimonios publico, escritos y orales.

El Departamento de Salud Publica a preparado una lista de las propuestas reducciones al presupuesto que son sujetos a la Ley Beilenson. Esta lista incluye la eliminación y reducción de servicios medicos para las personas indigentes y desamparadas de este condado. El Departamento de Salud Publica les provee esta información como una cortesía. Para mas información, favor de hablar al Departamento de Salud Publica al (415) 554-2610. Para información sobre servicios medicos, acceso y elegibilidad, por favor llame al (415) 206-8000.



Angela Calvillo
Clerk of the Board

2009~2010 財政年度削減醫療服務公聽會

三藩市公共衛生委員會將於 2010 年 1 月 26 日(星期二)下午 3 時於

三藩市市政廳, LEGISLATIVE CHAMBER OF CITY HALL

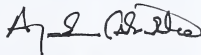
#1 DR. CARLTON B. GOODLETT PLACE

SAN FRANCISCO, CALIFORNIA

舉行關於 2009~2010 財政年度中期削減醫療服務提案公聽會。該削減提案將影響

對無醫療保健人士之服務。屆時敬請各界人士出席參與討論。

提案詳情請參閱三藩市衛生局削減醫療服務之摘要(英語附錄), 或電
554-2500 查詢。公聽會出席者可參與發言或提出書面意見。如有需要協助參與
會議之人士, 請電 554-2595(衛生局平等就業部門)或 554-2610(公共衛生委員
會), 其他有關各項醫療服務之問題, 請電 206-8000。該公聽會是按加州醫療及
保健條例 Section 1442.5 之 Beilenson 規定而舉行。削減項目將包括醫療、心理
衛生及防止濫用藥物服務。該削減提案將考慮完全取消或削減為無醫療保險人士
所提供之各項服務。



Angela Calvillo

公共衛生委員會秘書

SAN FRANCISCO BOARD OF SUPERVISORS - BELLENSON HEARING NOTICE
1 Dr. Carlton B. Goodlett Place, Legislative Chamber Room 250
Tuesday, January 26, 2010, 3 PM

PROPOSED REDUCTIONS TO HEALTH SERVICES FOR FISCAL YEAR 2009-10

| Facility | Initiative | Annual Position Change (FTE) | 2008-10 Expenditure Increase/ (Decrease) | 2009-10 Revenue Increase/ (Decrease) | 2009-10 Net General Fund (Savings)/ Cost | Program Change Description | Estimated Number of Unduplicated Clients (UDCs) Affected Annually |
|---|--|------------------------------|--|--------------------------------------|--|---|---|
| Leguna Honda Hospital and Rehabilitation Center (LHH), 375 Laguna Honda Boulevard San Francisco, CA | Medical Staffing Consolidation | (0.55) | (\$7,525) | - | (\$7,525) | Effective 2/20/10, This skill-mix change model optimizes the use of Senior Physician Specialist in the day-to-day medical delivery of care while gaining efficiency with Physician Specialist supporting weekend and night coverage for on-call support system within the hospital. | No impact to clients. |
| San Francisco General Hospital (SFGH), 1001 Potrero Ave., SF, CA 94110 | Grouping Non-Acute Psychiatric Inpatients | (14.20) | (\$408,590) | - | (\$408,590) | Effective 3/20/10, Following successful initiative in 09-10, staffing in the Psychiatric Unit at SFGH will be adjusted to cohort (group) non acute psychiatric patients together. | No impact to clients. |
| San Francisco General Hospital (SFGH), 1001 Potrero Ave., SF, CA 94110 | Grouping Non-Acute Medical Surgical Inpatients | (7.20) | (\$378,876) | - | (\$378,876) | Effective 3/20/10, 20 bed acute medical/surgical unit would be reconfigured to a 19 bed unit in order to cohort (group) non-acute patients waiting for placement at a lower level of care in a non-acute setting. Patients would be evaluated using Medi-Cal guidelines. | No impact to clients. |
| San Francisco General Hospital (SFGH), 1001 Potrero Ave., SF, CA 94110 | Messenger Position Substitution | - | (\$12,426) | - | (\$12,426) | Effective 3/20/10, This request will substitute annual 6 FTEs from Health Worker II for messenger services as the scope of responsibilities for the evening and midnight shift messengers will no longer include patient transport duties. | No impact to clients. |
| Addiction Research and Treatment, 1111 Market Street and 433 Turk Street, San Francisco, CA 94103; Forth Help, 815 Bryant Street, SF, CA 94103; Westside Community Mental Health Services, 1301 Pierce Street; SFGH Ward 93, SFGH Medical Center, 1001 Potrero Avenue, SF CA. | Do Not Backfill State Drug Med-Cal Reduction | - | (\$500,000) | - | (\$500,000) | Reduce restoration of \$650,000 previously backfilled by the Mayor and Board of Supervisor for a 10% Drug Medi-Cal reimbursement cut by State. \$150,000 will be retained in FY 09-10 for one-time purchase of methadone equipment pumps and Neimart database upgrades to increase methadone dosage efficiency. | No impact to existing clients. The reduction to the Medi-Cal reimbursement rate, however, may impact the ability to absorb clients who are not (or not yet) Drug Medi-Cal eligible. |

SAN FRANCISCO BOARD OF SUPERVISORS - BEILENSEN HEARING NOTICE
1 Dr. Carlton B. Goodlett Place, Legislative Chamber Room 250
Tuesday, January 26, 2010, 3 PM

| PROPOSED REDUCTIONS TO HEALTH SERVICES FOR FISCAL YEAR 2009-10 | | | | | | |
|--|--|------------------------------|--|--------------------------------------|--|---|
| Facility | Initiative | Annual Position Change (FTE) | 2009-10 Expenditure Increase/ (Decrease) | 2009-10 Revenue Increase/ (Decrease) | 2009-10 Net General Fund (Savings)/ Cost | Program Change Description |
| Asian American Recovery Services Residential, 2024 Hayes Street, SF 94117; Haight Ashbury Western Addition Residential, 1440 Chinook Ct. SF 94130; Haight Ashbury Center for Recovery Residential, 1441 Chinook Ct., SF 94130 ; Walden House Residential, 890 Hayes St/815 Buena Vista West, SF 94117 ; Latino Commission Casa Clin Supportive Housing, 161 Margaret Ave, SF 94112; Walden House Supportive Housing, 800 Fillmore St, SF 94117; Admiral Hotel Supportive Housing, 608 O'Farrell, SF 94109; Page Hotel Supportive Housing, 161 Leavenworth St, SF 94102; and Warfield Hotel, 118 Taylor St, SF 94102. | Do Not Backfill State Prop 36 Reduction | - | (1,224,942) | - | (1,224,942) | Outpatient Prop 36 services were already ramped down in August by agencies in anticipation of State cut. \$951,000 in one-time JAG (Byrne) allocation will still be used to backfill priority services including residential programs through March 1, 2010. Prop 36 clients will continue to access existing substance abuse services in a timely manner from our existing system of care. |
| Tenderloin Health, 183-81 Golden Gate Ave SF, A 94142 | Adjusted State HIV Health Services Revenue and Savings | - | (87,563) | 618,482 | (706,045) | We have achieved additional revenue/savings from (1) State's reduction to HIV health services is \$225,482 less than anticipated (2) \$93,000 in one-time unspent funds from the prior fiscal year (3) \$87,563 Tenderloin Health case management program closure |
| Bayview/Hunters Point Foundation, 1625 Carroll St, SF 94124 | Standardizing Methadone Maintenance Costs | - | (74,711) | - | (74,711) | Effective 7/1/10, Reduces Bayview Hunters Point Foundations (BVHP) per client Methadone maintenance costs by imposing a single day rate of \$14.08 per client for both counseling and dosage. This will bring BVHP's per client rate more in line with other DPH-funded Methadone maintenance programs. |
| Regents of the University of California/Trauma Center 2227 Mariposa St., Suite 100, San Francisco, CA 94110 | Discontinue State Backfill for Trauma Recovery Center | - | (366,059) | (20,530) | (347,529) | Effective 3/1/10, General fund has been used for the last two years to support UC Regents Trauma Recovery Center after the state pulled funding for its program. Given the difficult financial situation we will close this program and can reopen the program when another funding source is identified. |
| | | | | | | An estimated 57 unduplicated clients will be affected. |
| | | | | | | An estimated 15 - 18 UDC will be affected as a result of the Tenderloin Health program closure. The other projected savings have no impact on UDC's. |
| | | | | | | An estimated increase of 18 more unduplicated clients served as a result of this initiative. |
| | | | | | | An estimated 600 unduplicated clients will be affected. |



SAN FRANCISCO BOARD OF SUPERVISORS - BELLENSON HEARING NOTICE
1 Dr. Carlton B. Goodlett Place, Legislative Chamber Room 250
Tuesday, January 26, 2010, 3 PM

PROPOSED REDUCTIONS TO HEALTH SERVICES FOR FISCAL YEAR 2009-10

| Facility | Initiative | Annual Position Change (FTE) | 2009-10 Expenditure Increase/ (Decrease) | 2009-10 Revenue Increase/ (Decrease) | 2009-10 Net General Fund (Savings)/ Cost | Program Change Description | Estimated Number of Unduplicated Clients (UDCs) Affected Annually |
|--|--|------------------------------|--|--------------------------------------|--|---|--|
| To be determined. | Substance Abuse Residential Closures | - | (450,000) | - | (450,000) | Effective 3/7/10: Pending results of Community Behavioral Health Services Request for Proposals (RFP) to determine two SA Residential programs to be closed in the current fiscal year. | To be determined. |
| Ark of Refuge, 149 19th Avenue, San Francisco, CA 94121 | Closure of in Ark House Program Due to Loss of Site | - | (144,913) | - | (144,913) | Effective 3/7/10: The Ark House experienced an unexpected loss of site control, which forced the program to move from its site on 1038 Howard Street on November 4, 2009, and discontinue intake of new clients the month before. While the Ark House is funded to serve 15 clients at any given time, currently the program can only house 5 clients in a temporarily rented flat while trying to locate a permanent location. | An estimated 30 unduplicated clients will be affected. |
| N/A | Projected Contract and Program Savings | - | (2,445,269) | - | (2,445,269) | Projected unspent funds in the current fiscal year due to lower than anticipated program service levels for both contract and civil service programs. | No impact to clients. |
| Positive Directions, Equals Change, 2111 Jennings Street, SF 94124 | Increases in Grant Funding to Offset General Fund Programs | - | - | 279,212 | (279,212) | Recent grant awards will enable the department to reduce general fund support for existing substance abuse programs and base salaries related to HNN as well as \$20,000 grant to Positive Directions for Change. | An estimated 15 clients will be affected as a result of the Positive Directions Equals Change grant backfill. The other projected savings have no impact on clients. |



JAN 22 2010

SAN FRANCISCO
PUBLIC LIBRARY

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA



Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 26, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Yee, Fewer, Maufas

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mirkarimi, Mar, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 20

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 091230 **[Department of Building Inspection Cash Revolving Fund]**
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from \$600 to \$2,000.
(Building Inspection Commission)

01/12/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 091409 [Accept and Expend Grant - Sidney E. Frank Foundation and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$250,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Zero Energy Homes (SFZEH) Program which will create the tools necessary for San Franciscans to radically reduce the amount of energy they use and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

01/12/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 091420 [Accept and Expend Grant - Living Cities Initiative and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$175,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$175,000 from the Living Cities Initiative to support the City's Zero Energy Home Program by accelerating the use of home performance testing of existing buildings throughout the City and thus drive the market, which will create a range of employment and career growth options and amend Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

01/12/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 091421 [Appropriating \$739,355 of Various Fee Revenues for Salaries, Fringe Benefits, and Services of Other Departments in the Department of Building Inspection for FY2009-2010]

Sponsor: Mayor

Ordinance appropriating \$739,355 of Intergovernmental Memorandum of Understanding and Vacant Building Fee revenues for salaries and fringe benefits for limited duration positions to fund fee collection costs, and to fund a projected work order shortfall with the City Attorney, for the Department of Building Inspection for FY2009-2010.

(Fiscal Impact.)

01/12/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 091422 [Public Employment - Amendment to the Annual Salary Ordinance, FY2009-2010 - Department of Building Inspection]

Sponsor: Mayor

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010) to reflect the addition of eleven limited duration positions (4.9 FTE) in the Department of Building Inspection.

(Fiscal Impact.)

01/12/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 091465 [Appropriating \$1,743,767 of Library Capital Improvements Fund Balance for the Branch Library Improvement Program in the San Francisco Public Library for FY2009-2010]

Sponsors: Mayor; Maxwell

Ordinance appropriating \$1,743,767 of Library Capital Improvements Fund Balance, which consists of interest earnings from General Obligation Bond proceeds sold for the Branch Library Improvement Program and rent income from the Visitacion Valley Public Library, to fund capital projects at the Bayview and Visitacion Valley Library locations as part of the Branch Library Improvement Program in the San Francisco Public Library for FY2009-2010; placing \$1,683,967 on Controller's reserve.

(Fiscal Impact.)

01/12/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Duffy, Daly, Elsbernd

7. 091322 [Liquor License, 953 Harrison Street]
Resolution determining that the issuance of a Type 21 off-sale general license to Patrick and Angela Buscovich, for the Wine Club located at 953 Harrison Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

8. 091401 [Accept and Expend Grant - California Secretary of State VOTE Grant Program - Not to Exceed \$249,998.41]

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Department of Elections to accept and expend grant funds in an amount not to exceed \$249,998.41 for improving accessibility to and participation in the election process for individuals with disabilities in accordance with the California Secretary of State's VOTE Grant Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi

9. 091436 **[Accept and Expend Grant - U.S. Dept. of Justice/Office of Violence Against Women and Amendment to the Annual Salary Ordinance for FY2009-2010 - \$698,970]**
Sponsor: Chiu
Ordinance authorizing the San Francisco District Attorney's Office to retroactively accept and expend a grant in the amount of \$698,970 from the U.S. Department of Justice/Office of Violence Against Women - Grants to Encourage Arrest Policies and Enforcement of Protection Orders for the purpose of improving the criminal justice systems' response to limited English proficiency victims of domestic violence, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect the addition of one (1) grant-funded position (.50 FTE) in Class 8129 Victim Witness Investigator at District Attorney's Office.
- 01/12/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
10. 091445 **[Accept and Expend Grant - FY 2009 Second Chance Youth Offender Reentry Initiative and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$660,615]**
Sponsor: Maxwell
Ordinance authorizing the Juvenile Probation Department ("JPD"), on behalf of the City and County of San Francisco, to retroactively accept and expend a grant in the amount of \$660,615 from the Office of Justice Programs ("OJP") for the United States Department of Justice for funding under the FY2009 Second Chance Youth Offender Reentry Initiative ("Second Chance Grant Award"); and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect the addition of one Class 2910 Social Worker grant-funded position (0.60 FTE) at the San Francisco Public Defender's Office (PDR).
- 01/12/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**
11. 091456 **[Accept and Expend Grant - FY 2009 Homeland Security Grant Program and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$2,079,703]**
Sponsor: Mayor
Ordinance authorizing the Department of Emergency Management to retroactively accept and expend a FY2009-2010 Homeland Security Grant Program grant in the amount of \$2,079,703 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect the addition of one Class 5277 Planner I grant-funded position (0.50 FTE) at the General Services Agency (GSA- ADM) and one Class 5278 Planner II grant-funded position (0.50 FTE) at the Department of Emergency Management.
- 01/12/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendations of the Rules Committee*Present: Supervisors Campos, Daly*

12. 091381 **[Settlement of Lawsuit - Marco Maestrini - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and County of San Francisco for \$40,000; the lawsuit was filed on June 6, 2007, in the United States District Court for the Northern District of California, Case No. C07-02941 PJH, entitled Marco Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
13. 091382 **[Settlement of Lawsuit - Ben H. Lyon - \$47,500]**
Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County of San Francisco for \$47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
14. 091383 **[Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - \$158,000]**
Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal against the City and County of San Francisco for \$158,000; the lawsuit was filed on May 5, 2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph Senegal v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 091387 **[Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$141,692.50]**
Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$141,692.50 for attorneys' fees; the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al.; other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 091384 **[Settlement of Unlitigated Claim - David Cleary - \$225,000]**
Resolution approving the settlement of the unlitigated claim filed by David Cleary against the City and County of San Francisco for \$225,000; claim was filed on May 22, 2009. (City Attorney)
- Question: Shall this Resolution be ADOPTED?

17. 091473 [Settlement of Department of Fair Employment and Housing Charge - Timothy Jones - \$83,251.89]

Resolution approving the settlement of the Department of Fair Employment and Housing (DFEH) and Equal Employment Opportunity Commission (EEOC) charges filed by Timothy Jones against the City and County of San Francisco for \$83,251.89; DFEH and EEOC charges were filed on November 13, 2008; DFEH Charge No. E200809A0330-00-pe and EEOC Charge No. 37AA904035 entitled Jones v. CCSF. (City Attorney)

Question: Shall this Resolution be ADOPTED?

18. 091474 [Settlement of Claim - Devorah Joseph - \$49,000]

Resolution approving the settlement of the unlitigated claim filed by Devorah Joseph against San Francisco for \$49,000; claim was filed on July 28, 2008; additional material terms of said settlement are a full and final release. (City Attorney)

Question: Shall this Resolution be ADOPTED?

19. 091427 [Appointments, Workforce Investment Community Advisory Committee - Tracy Brown and Jamie Brewster]

Motion appointing Tracy Brown and Jamie Brewster, terms to be determined, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

20. 091481 [Appointment, Veterans Affairs Commission - James Guglielmoni]

Motion appointing James Guglielmoni, term ending January 31, 2014, to the Veterans Affairs Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

21. 090835 [Residential Rent Ordinance Prohibiting Owner Move-In Evictions of Households with a Child Under the Age of 18, Except by an Owner Moving In with a Child and Except Where the Owner Only Owns One Unit in the Building]

Sponsors: Mar; Chiu

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(j) to prohibit an owners move-in eviction where a child under the age of 18 resides in the unit with a tenant who has a custodial or family relationship with that child, and that tenant has resided in the unit for 12 months or more, except that this provision will not apply where there is only one unit owned by the landlord in the building or where the owner who will move into the unit pursuant to a Section 37.9(a)(8) eviction has a custodial or family relationship with a child under the age of 18 who will reside in the unit with the owner; and renumbering current Section 37.9(j) as Section 37.9(k).

(Supervisor Maxwell dissented in Committee.)

01/05/2010; CONTINUED ON FIRST READING.

01/12/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi

22. 091015 [Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]
Sponsors: Mirkarimi; Campos, Avalos and Daly
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding sections 3.600, 3.605, 3.610 and 3.615, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings and to require the Police Department to report to the Board of Supervisors regarding the cost of security.

12/15/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/15/2009; RE-REFERRED to the Public Safety Committee.

01/05/2010; CONTINUED ON FIRST READING.

01/12/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS**Recommendations of the Budget and Finance Committee**

Present: Supervisors Mirkarimi, Chu

23. 091447 [Ordinance Levying Special Taxes within Special Tax District No. 2009-1 San Francisco Sustainable Financing]
Sponsors: Mayor; Mar and Duffy
Ordinance to authorize and levy special taxes within the City and County of San Francisco Special Tax District 2009-1 (San Francisco Sustainable Financing); authorize the Director of Public Finance to determine the special tax rate and amount to be levied each fiscal year; to establish the method for the collection of special taxes and other matters necessary or advisable in connection therewith.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 091451 [Resolution Authorizing Sale of Special Tax Bonds - Not to Exceed \$10,000,000]
Sponsors: Mayor; Mar and Duffy
Resolution authorizing the issuance and sale of special tax bonds in an aggregate principal amount not to exceed \$10,000,000 and approving the form of a Fiscal Agent Agreement, a Purchase Contract and a Security Agreement and authorizing and approving other related actions in connection therewith.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi, Chu

25. 091464 **[Early Implementation of Two-Year Budget and Five-Year Financial Plan Requirements]**
Sponsors: Mayor; Chiu and Mirkarimi
Ordinance designating the Port, the Airport, and the Public Utilities Commission for early implementation of the two-year budget requirement under Charter Section 9.100 and the five-year financial plan requirement under Charter Section 9.119.
Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 091442 **[Contract to Transfer Airport Police Service, Assets, and Liabilities from California Public Employees' Retirement System to San Francisco Employees' Retirement System]**
Sponsor: Elsbernd
Resolution approving contract to transfer airport police service and associated assets, and liabilities from the California Employees' Retirement System to the San Francisco Employees' Retirement System.
Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Avalos, Mirkarimi, Elsbernd*
27. 100022 **[Accept and Expend Grant - Reentry Council and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$50,000]**
Sponsor: Maxwell
Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation, to support the development of data collection tools and service standards for the new Reentry Council, and amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010), to reflect the addition of temporary salaries to fund one (1) temporary (.50 FTE) grant-funded 8173 Legal Assistant position in the Office of the Public Defender.
Question: Shall this Ordinance be PASSED ON FIRST READING?
28. 091439 **[Paratransit Broker Agreement - Not to Exceed \$118,599,710]**
Sponsor: Duffy
Resolution approving a Paratransit Broker Agreement with Veolia Transportation, Inc., in an amount not to exceed \$118,599,710 for a five-year term ending June 30, 2015, with an optional five-year extension.
(Fiscal Impact.)
Question: Shall this Resolution be ADOPTED?

29. 091478 **[CEQA Findings for SFPUC Sunol Valley Water Treatment Plant Project in Alameda County]**
Resolution adopting findings under the California Environmental Quality Act (CEQA) including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Sunol Valley Water Treatment Plant and Treated Water Reservoir Project, Water System Improvement (WSIP)-funded Project No. CUW38101; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi

30. 100065 **[Appropriation Ordinance to Reflect Mayor's Budget Balancing Plan for FY2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$10,193,602 of sources and \$4,556,230 of uses and de-appropriating \$1,444,829 of sources and \$31,053,764 of uses in various departments consistent with the Mayor's Proposed Budget Balancing Plan for FY2009-2010, de-appropriating \$1,299,545 of General Fund Reserve, and de-appropriating \$35,825,254 of General Fund Unallocated revenues to balance the projected shortfall for FY2009-2010.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Maxwell

31. 091218 **[MOU, Amendment #2 - Local 798, Unit 1]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 091219 **[MOU, Amendment #2 - Local 798, Unit 2]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

33. 091437 **[Contract with Owners' Association for Administration/Management of Greater Union Square Business Improvement District]**
Sponsor: Chiu
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Greater Union Square Business Improvement District," pursuant to Section 36651 of the California Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly

34. 091233 **[Administrative Code Amendments Related to False Claims]**
Sponsor: Alioto-Pier
Ordinance amending Administrative Code Sections 6.22, 6.42, and 21.35 to clarify that the false claims provisions of Chapters 6 and 12 are statutory rather than contractual and to eliminate the requirement that such provisions be incorporated into public works contracts or professional services contracts.
35. 091402 **[Medical Cannabis Task Force]**
Sponsors: Campos; Mirkarimi, Avalos and Daly
Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 091403 **[Inclusion of Textiles in Sweatfree Contracting Ordinance]**
Sponsor: Campos
Ordinance adding Section 12U.5.1 of the Administrative Code to provide that contracts for textiles are within the coverage of the Sweatfree Contracting Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 091446 **[Modifying the Membership of the Food Security Task Force]**
Sponsor: Maxwell
Ordinance amending the San Francisco Health Code by amending Section 470.1, to modify the membership of the Food Security Task Force and to direct the Task Force to prepare an annual assessment of the state of hunger and food insecurity in San Francisco, and by amending Section 470.2, to extend the term of the Task Force.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 091459 [Appointment, Urban Counties Caucus - Supervisor Michela Alioto-Pier]
Motion appointing Supervisor Michela Alioto-Pier, term ending December 31, 2010, to the Urban Counties Caucus. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to Business and Tax Code Section 1115.1(a)(b).)

39. 100050 [Committee of the Whole - Confirming Report of Delinquent Transfer Taxes]
Hearing of persons interested in or objecting to a report of delinquent transfer taxes submitted by the County Recorder, as modified to the date of adoption of this Resolution, and creating special assessments and liens based thereon pursuant to Section 1115.1 of the Real Property Transfer Tax Ordinance (under San Francisco Business and Tax Regulations Code Article 12-C). (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

40. 100051 [Confirming Report of Delinquent Transfer Taxes]
Sponsor: Duffy
Resolution confirming report of delinquent transfer taxes submitted by the County Recorder, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pending approval of File No. 100035.)

41. 100036 [Committee of the Whole – Beilenson Hearing]
Sponsor: Avalos
Hearing to consider the Department of Public Health's budget eliminating or reducing health care medical services.
Action: _____

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**COMMITTEE REPORTS**

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, January 25, 2010 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, January 26, 2010.

42. 091162 [Purchaser's Authority to Permit Informal Solicitation of Certain Contracts for Purchase of Goods or Services and to Set Aside Contracts for Small Local Businesses]
Sponsors: Chu; Chiu and Maxwell
Ordinance amending Administrative Code section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses.
10/20/2009; SUBSTITUTED.
Question: Shall this Ordinance be PASSED ON FIRST READING?

- 43. 091163 [Economic Stimulus Measures for Capital Project Acceleration]**
Sponsors: Chu; Chiu, Maxwell and Mayor
Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the threshold amount for sealed competitively bid construction contracts from \$100,000 to \$400,000 with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000 with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements.

Question: Shall this Ordinance be PASSED ON FIRST READING?

- 44. 091404 [Procedures to Attain Local Business Enterprise Subcontracting Goals for Design-Build and Integrated Project Delivery Contracts]**
Sponsor: Chiu
Ordinance amending Administrative Code Chapter 14B, Local Business Enterprise, and Non-Discrimination in Contracting Ordinance, to add a new Section 14B.19 establishing uniform procedures to attain project LBE goals for design-build and integrated project delivery contracts.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 091405 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance]
Sponsors: Chiu; Chu, Maxwell and Mayor
Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 to (1) each fiscal year, require departments to set aside not less than 50% of public works/construction contracts worth \$400,000 or less and to set a goal of not less than 25% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, (2) permit departments to designate public works/construction Job Order Contracts, without limitation as to dollar value, as set aside for the Micro-Local Business Enterprise Set Aside Program in order to satisfy the department's 50% requirement, (3) require departments to report quarterly during the year 2010 and thereafter yearly to the Board of Supervisors on the contracts set aside for the Micro-Local Business Enterprise Set Aside Program, and to cooperate with HRC's requests for information to fulfill its reporting requirements, and (4) require Micro - LBEs that subcontract any portion of a set-aside contract to perform at least 25% of the contract work, (5) create a SBA-LBE category, in addition to the Small and Micro-LBE categories, that gives contractors with income set with reference to Small Business Administration limits a bid preference of 2% on contracts between \$5,000,000 and \$20,000,000 (6) provide that subcontracting and consulting goals may be satisfied only with Small and Micro-LBEs, except that if there are insufficient Small and Micro-LBEs available, the HRC Director may permit the use of SBA-LBEs or set separate goals for Small and Micro-LBEs and SBA LBEs, (7) contractors who achieve total LBE participation on a bid or proposal in excess of 35% of their established LBE subcontracting and subconsulting goals are to be exempted from satisfying good faith outreach requirements and (8) total LBE participation on a bid or proposal to be calculated using only Micro and Small-LBE contractors, joint venture partners and subcontractors and subconsultants, except that SBA-LBE subcontractors and subconsultants may be counted if the Director has established goals for them.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 100047 [Planning Code - Interim Controls Related to Affordable Housing Requirements]
Sponsors: Mayor; Chiu
Resolution approving interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 315 et seq. shall, except for certain eligible projects, be suspended and replaced by an interim affordable housing fee that is equivalent to the current in lieu fee and amending the housing requirements for residential projects in the Rincon Hill Area Plan for 18 months or until a permanent ordinance amending Planning Code Section 315 et seq. is adopted; and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 47 through 57

47. 100035 [Committee of the Whole - Health Services Reductions (Beilenson Hearing)
January 26, 2010, at 3:00 p.m.]

Sponsor: Avalos

Motion scheduling the Board to sit as a Committee of the Whole to consider health services reductions (Beilenson Hearing), to be held on January 26, 2010, at 3:00 p.m.

01/12/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

48. 100060 [Accept and Expend Grant - HIV Technical Guide - \$14,500]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the World Health Organization in the amount of \$14,500 to develop a technical guide for HIV care and prevention programs for men who have sex with men (MSM) and transgendered individuals; for the period of December 15, 2009, through December 31, 2009.

01/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 100061 **[Opposing Shading of Public Parks and Open Space]**
Sponsors: Chiu; Avalos, Campos, Daly, Mar, Maxwell and Mirkarimi
Resolution opposing changes to the Park Shadow Ban that would increase shading of public parks and open space.

01/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 100062 **[Urging President Obama to Issue an Executive Order Creating a National Ocean Policy]**
Sponsor: Mirkarimi
Resolution urging President Obama to issue an Executive Order to create a National Ocean Policy based on the recommendations of the Ocean Policy Task Force.

01/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 100063 **[Angel Island Immigration Station Day - January 21, 2010]**
Sponsors: Mar; Avalos, Campos, Chiu and Chu
Resolution declaring January 21, 2010, as Angel Island Immigration Station Day, and Commemorating the 100th Anniversary of the Immigration Station.

01/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 100064 **[Bernal Heights Branch Library Re-Opening]**
Sponsor: Campos
Resolution recognizing the grand re-opening of the Bernal Heights Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

01/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 100084 **[Proclamation of Local Emergency - January 19, 2010]**
Sponsor: Elsbernd
Motion concurring in the Mayor's January 19, 2010, Proclamation of Local Emergency, and in the actions taken to meet the emergency.

01/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 54. 100070 [Final Map 5582: 1489 – 1495 Valencia Street]**
Motion approving Final Map 5582, a 2 Airspace Subdivision: Parcel "A" being a Mixed Use Condominium Project (6 Residential Units and 1 Commercial Unit) and Parcel "B" being a One Lot Airspace Project, located at 1489 - 1495 Valencia Street being a subdivision of Lot No. 028 in Assessors Block No. 6530 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
- 01/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 55. 100071 [Final Map 4305: 3431 – 3435 Mission Street]**
Motion approving Final Map 4305, a Four Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 3431 - 3435 Mission Street being a subdivision of Lot No. 037 in Assessors Block No. 5673 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
- 01/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 56. 100072 [Final Map 4789: 235 Waller Street]**
Motion approving Final Map 4789, a Six Unit Residential Condominium Project, located at 235 Waller Street being a subdivision of Lot No. 035 in Assessors Block No. 0869 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
- 01/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 57. 100073 [Final Map 4955: 1250 – 1260 Missouri Street]**
Motion approving Final Map 4955, a 36 Unit Commercial Condominium Project, located at 1250 - 1260 Missouri Street being a merger and resubdivision of Lot Nos. 014, 015, 016 in Assessors Block No. 4287 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
- 01/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

58. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting"

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL**PROPOSED ORDINANCES**

Proposed ordinances received from January 5, 2010, to January 15, 2010, for reference by President to appropriate committee on January 26, 2010.

100068 [Settlement of Lawsuit - Marjorie Flores - \$57,500]

Ordinance authorizing settlement of the lawsuit filed by Marjorie Flores against the City and County of San Francisco for \$57,500; the lawsuit was filed on April 23, 2009, in San Francisco Superior Court, Case No. 09-487666, entitled Flores v. City and County of San Francisco, et al. (City Attorney)

01/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100069 [Settlement of Lawsuit - Yee Mei Hung - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Yee Mei Hung against the City and County of San Francisco and Thomas Mann Chu for \$50,000; the lawsuit was filed on February 3, 2009, in San Francisco Superior Court, Case No. 484-637; entitled Yee Mei Hung v. City and County of San Francisco, et al. (City Attorney)

01/06/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100080 [Repealing the Department of Technology Cash Revolving Fund]

Ordinance repealing Article XV, Section 10.143 of the San Francisco Administrative Code which established a cash revolving fund for the Department of Technology. (Department of Technology)

01/13/2009; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 5, 2010, to January 15, 2010, for reference by President to appropriate committee on January 26, 2010.

- 100081 [Approval to Award a Three-Year Lease for Surface Parking Between the Port of San Francisco and Central Parking System, Inc. (Lease No. L-14795) for Seawall Lots ("SWL") 301, and SWL 314 Located in the Northern Waterfront]**
Resolution approving a Port Commission Lease with Central Parking System, Inc. a Tennessee Corporation in, for certain real property located at SWL 301 bounded by Taylor Street, Jefferson Street, and Powell Street, and SWL 314 bounded by The Embarcadero and Bay Street, and Kearny Street the City and County of San Francisco for a term of 3 years. (Port)

01/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100076 [Petitions and Communications]

Petitions and Communications received from January 5, 2010, through January 15, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 26, 2010.

From Office of the Controller, submitting results of the follow-up review for audit of the Human Services Agency's Family and Children's Services Division. Copy: Each Supervisor, Budget and Finance & Government Audit & Oversight Committee Clerks (1)

From Office of the Controller, submitting the financial review report for the South of Market Cultural Center. Copy: Each Supervisor (2)

From Office of the Controller, submitting the financial review report for the Mission Cultural Center for Latino Arts. Copy: Each Supervisor (3)

From Housing Authority, submitting notice that the public housing wait list is closed. Copy: Each Supervisor (4)

From Department of Public Health, submitting a status report for the San Francisco Health Care Security Ordinance. (5)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Sarah Ballard, Legislative Aide, leaving. (6)

From Municipal Transportation Agency, submitting the Overtime Justification Report for March 7, 2009, through October 30, 2009. Copy: Each Supervisor (7)

From concerned citizens, regarding public comment at Board meetings. 2 letters (8)

From concerned citizens, requesting an extension of the public comment period for the Draft Environmental Impact Report on Candlestick Point/Hunters Point Shipyard Phase II. 22 letters (9)

From Arthur Evans, commenting that the so-called medical cannabis dispensaries have turned into wholesale distribution points for subsidiary dealers. (10)

From Steve Price, submitting support for restoring Sharp Park. (11)

From James Chaffee, regarding the Sunshine Ordinance Task Force. (12)

From Michael McGinnis, regarding Muni bus service. (13)

From Department of Public Works, submitting status of repairing potholes at the intersection of Webster and Grove Streets. (Reference No. 20100105-002) (14)

From Department of Public Works, submitting status of removing graffiti from utility boxes at various locations in District 5. (15)

From State Department of Public Health, regarding the funding application approval agreement for FY2009-2010. (16)

From Planning Department, submitting notice of availability of the Glen Park Community Plan Study. Copy: Each Supervisor (17)

From State Department of Parks and Recreation, submitting notice that the Armour & Co. Building was placed on the National Register of Historic Places. Copy: Each Supervisor (18)

From State Department of Parks and Recreation, submitting notice that the Four Fifty Sutter Building was placed on the National Register of Historic Places. Copy: Each Supervisor (19)

From Ahimsa Sumchai, regarding Hunters Point Shipyard air quality. (20)

From Department of Public Works, submitting status of removing graffiti from various locations in District 5. (21)

From Gerri Hayes, regarding proposal to legalize marijuana in California. (22)

From Alan Attlee, regarding the health risks of full body scanners. (23)

From Frank Woods, regarding proposed art gallery at 1969 California Street. (24)

From concerned citizens, regarding the Masonic Center. 2 letters (25)

From Office of the Mayor, requesting the Capital Planning Committee establish and chair a subcommittee known as the Street Resurfacing Finance Working Group. Copy: Each Supervisor (26)

From the Port, submitting the Contracting Activity Report for the reporting period of October 1, 2009, to December 31, 2009. Copy: Each Supervisor (27)

From Planning Department, submitting notice of the availability of and intent to adopt a Mitigated Negative Declaration for 4199 Mission Street. Copy: Each Supervisor (28)

From Planning Department, submitting resolution recommending the Board of Supervisors approve the Mills Act Historical Property Contract for 155-178 Townsend Street. File No. 090263, Copy: Budget and Finance Committee Clerk (29)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from January 19, 2010, until January 21, 2010. Supervisor Carmen Chu will serve as Acting Mayor. (30)

From Office of the Controller, submitting copy of letter sent to the Filipino Community Center regarding grant for the City of San Francisco Emergency Aid Relief Program of 2010. (31)

From Office of the Controller, submitting copy of letter sent to the Samoan Community Development Center regarding grant for the City of San Francisco Emergency Aid Relief Program of 2010. (32)

From Arthur Evans, submitting support for a Sit-Lie Law in San Francisco. (33)

From Jack Sargent, submitting support for proposed legislation to discourage honking in San Francisco. (34)

From Evelyn Adler, regarding the new mandated composting law in San Francisco. (35)

From Robin Chiang, regarding the restoration of the Copra Crane in Islais Creek. (36)

From Mike Les, regarding green newspaper racks in San Francisco. (37)

From James Corrigan, regarding S.F. firefighters and the parking laws in San Francisco. (38)

From Office of the Controller, submitting the Comprehensive Annual Financial Report for FY2008-2009. (39)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 2, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JAN 29 2010

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

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Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the January 5, 2010, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19

Recommendations of the Budget and Finance Committee

Present: Supervisors Mirkarimi, Chu

1. 091447 [Ordinance Levying Special Taxes Within Special Tax District No. 2009-1 San Francisco Sustainable Financing]
Sponsors: Mayor; Mar and Duffy
Ordinance to authorize and levy special taxes within the City and County of San Francisco Special Tax District 2009-1 (San Francisco Sustainable Financing); authorize the Director of Public Finance to determine the special tax rate and amount to be levied each fiscal year; to establish the method for the collection of special taxes and other matters necessary or advisable in connection therewith.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Chu

2. 091464 **[Early Implementation of Two-Year Budget and Five-Year Financial Plan Requirements]**
Sponsors: Mayor; Chiu and Mirkarimi
Ordinance designating the Port, the Airport, and the Public Utilities Commission for early implementation of the two-year budget requirement under Charter Section 9.100 and the five-year financial plan requirement under Charter Section 9.119.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd

3. 100022 **[Accept and Expend Grant - Reentry Council and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$50,000]**
Sponsor: Maxwell
Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$50,000 from the San Francisco Foundation, to support the development of data collection tools and service standards for the new Reentry Council, and amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010), to reflect the addition of temporary salaries to fund one (1) temporary (.50 FTE) grant-funded 8173 Legal Assistant position in the Office of the Public Defender.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100074 **[Accept and Expend Grant - PG&E Efficiency Contract - \$11,540,000]**
Sponsor: Mayor
Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$11,540,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to implement an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

5. 100011 **[Accept and Expend Grant - HIV Prevention Programs - \$512,960]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$512,960 from the California Department of Public Health Office of AIDS to assist with a project entitled "HIV Prevention Programs;" for the period of July 1, 2009, through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

6. 100042 **[Accept and Expend Grant - Supporting HIV Health Services - \$3,533,612]**
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$3,533,612 from the California Department of Public Health Office of AIDS, to assist with a project entitled "Single Allocation Model" for the period of July 1, 2009, through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

7. 091162 **[Purchaser's Authority to Permit Informal Solicitation of Certain Contracts for Purchase of Goods or Services and to Set Aside Contracts for Small Local Businesses]**
Sponsors: Chu; Chiu, Maxwell, Mayor, Dufty, Mirkarimi and Campos
Ordinance amending Administrative Code section 21.5 to allow Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses.

10/20/2009; SUBSTITUTED.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 091163 **[Economic Stimulus Measures for Capital Project Acceleration]**
Sponsors: Chu; Chiu, Maxwell, Mayor, Dufty, Mirkarimi and Campos
Ordinance amending Administrative Code Chapter 6, Public Works Contracting Policies and Procedures, Section 6.1, to add a definition for a department head and designee and to increase the threshold amount for sealed competitively bid construction contracts from \$100,000 to \$400,000 with a future increase by the Controller in 2015; amending Section 6.20, to update and conform references to Administrative Code Chapter 14B; amending Section 6.21, to update and conform references to Administrative Code Chapter 14B; amending Section 6.22(A), to clarify and conform to state law the minimum contract amount requiring performance and payment bonds to \$25,000; amending Section 6.22(J), to allow for early release of retention to subcontractors certified by the Human Rights Commission as Local Business Enterprises or subcontractors on multi-year construction projects; amending Section 6.40, to increase the minimum competitive amount for the procurement of professional services for public work projects from \$25,000 to \$100,000 with a future increase in 2015 by the Controller; amending Section 6.60 to update and conform references to the Municipal Transportation Agency; amending Section 6.62, Job Order Contracts, to amend the Local Business Enterprise goal enforcement procedure and allow for micro-LBE set-asides, to increase the maximum contract amount from \$3,000,000 to \$5,000,000 and the maximum contract time to five years, to increase the maximum service order amount from \$200,000 or \$400,000 (depending on the program) to \$400,000 for all purposes, and adding new subcontractor listing and subcontractor substitution requirements.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 091404 **[Procedures to Attain Local Business Enterprise Subcontracting Goals for Design-Build and Integrated Project Delivery Contracts]**
Sponsors: Chiu; Mayor, Dufty, Mirkarimi, Campos and Chu
Ordinance amending Administrative Code Chapter 14B, Local Business Enterprise, and Non-Discrimination in Contracting Ordinance, to add a new Section 14B.19 establishing uniform procedures to attain project LBE goals for design-build and integrated project delivery contracts.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 091405 **[Local Business Enterprise and Non-Discrimination in Contracting Ordinance]**
Sponsors: Chiu, Chu, Maxwell, Mayor, Duffy, Mirkarimi and Campos
Ordinance amending the San Francisco Administrative Code by amending Sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 and 14B.15 to (1) each fiscal year, require departments to set aside not less than 50% of public works/construction contracts worth \$400,000 or less and to establish a goal to set aside not less than 25% of other contracts worth \$100,000 or less for the Micro-Local Business Enterprise Set Aside Program, but the 25% goal shall become a requirement after 120 days, (2) permit departments to designate public works/construction Job Order Contracts, without limitation as to dollar value, as set aside for the Micro-Local Business Enterprise Set Aside Program in order to satisfy the department's 50% requirement, (3) require departments to report quarterly during the year 2010 and thereafter yearly to the Board of Supervisors on the contracts set aside for the Micro-Local Business Enterprise Set Aside Program, and to cooperate with HRC's requests for information to fulfill its reporting requirements, and (4) require Micro-LBEs that subcontract any portion of a set-aside contract to perform at least 25% of the contract work, (5) create a SBA-LBE category, in addition to the Small and Micro-LBE categories, that gives contractors with income set with reference to Small Business Administration limits a bid preference of 2% on contracts between \$400,000 and \$20 million, except that in the case of contracts \$10 million and under, the 2% discount shall not apply if a Small or Micro-LBE would otherwise be the winning bidder or proposer, and (6) provide that subcontracting participation goals may be satisfied only with Small and Micro-LBEs, except that if there are insufficient Small and Micro-LBEs available, the HRC Director may set goals based on the availability of all LBEs and permit contractors to satisfy those goals with SBA-LBEs, in addition to Small and Micro LBEs, or set separate goals for Small and Micro-LBEs and SBA LBEs, (7) contractors who achieve total LBE participation on a bid or proposal in excess of 35% of their established LBE subcontracting participation goals are to be exempt from satisfying good faith outreach requirements, and (8) total LBE participation on a bid or proposal is to be calculated using only Micro and Small-LBE contractors, joint venture partners and subcontractors and subconsultants, except that SBA-LBE subcontractors and subconsultants may be counted if the Director has established subcontracting goals for them on the contract.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly

- 11. 091233 [Administrative Code Amendments Related to False Claims]**
Sponsor: Alioto-Pier
Ordinance amending Administrative Code Sections 6.22, 6.42, and 21.35 to clarify that the false claims provisions of Chapters 6 and 12 are statutory rather than contractual and to eliminate the requirement that such provisions be incorporated into public works contracts or professional services contracts.
01/26/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 12. 091381 [Settlement of Lawsuit - Marco Maestrini - \$40,000]**
Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and County of San Francisco for \$40,000; the lawsuit was filed on June 6, 2007, in the United States District Court for the Northern District of California, Case No. C07-02941 PJH; entitled Marco Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney)
01/26/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 13. 091382 [Settlement of Lawsuit - Ben H. Lyon - \$47,500]**
Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County of San Francisco for \$47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al. (City Attorney)
01/26/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- 14. 091383 [Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - \$158,000]**
Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal against the City and County of San Francisco for \$158,000; the lawsuit was filed on May 5, 2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph Senegal v. City and County of San Francisco, et al. (City Attorney)
01/26/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

15. 091387 **[Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - \$141,692.50]**
Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$141,692.50 for attorneys' fees, the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780, entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al., other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
16. 091403 **[Inclusion of Textiles in Sweatfree Contracting Ordinance]**
Sponsors: Campos; Mar
Ordinance adding Section 12U.5.1 of the Administrative Code to provide that contracts for textiles are within the coverage of the Sweatfree Contracting Ordinance.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
17. 091446 **[Modifying the Membership of the Food Security Task Force]**
Sponsor: Maxwell
Ordinance amending the San Francisco Health Code by amending Section 470.1, to modify the membership of the Food Security Task Force and to direct the Task Force to prepare an annual assessment of the state of hunger and food insecurity in San Francisco, and by amending Section 470.2, to extend the term of the Task Force.

01/26/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
18. 100037 **[Appointment, Small Business Commission - Kathleen Dooley]**
Motion appointing Kathleen Dooley, term ending January 6, 2014, to the Small Business Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
19. 100038 **[Appointments, San Francisco Health Authority - John Gressman, Tracey Faulkner and Steve Fields]**
Motion appointing John Gressman, Tracey Faulkner and Steve Fields terms ending January 15, 2012, to the San Francisco Health Authority. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of the Mayor's veto pursuant to Charter Section 2.106 of an Ordinance amending the San Francisco Administrative Code Chapter 37 concerning just cause eviction protections for tenants in most residential rental units with a certificate of occupancy issued after June 13, 1979.

20. 090583 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]

Sponsors: Avalos; Campos, Mirkarimi and Mar

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending 37.9 to provide an owner the option of giving additional notice in lieu of making relocation payments for owner move-in eviction of a newly covered single-family home or individually owned condominium, provided the tenant was initially given specified notice of this status (new Section 37.9(a)(8)(ix)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on January 22, 2010. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before Sunday, February 21, 2010.

12/08/2009; PASSED ON FIRST READING.

12/15/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/15/2009; PASSED ON FIRST READING AS AMENDED.

01/05/2010; CONTINUED ON FINAL PASSAGE.

01/12/2010; DUPLICATED. See File No. 100039.

01/12/2010; FINALLY PASSED.

Action: _____

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi

21. 100065 [Appropriation Ordinance to Reflect Mayor's Budget Balancing Plan for FY2009-2010]
Sponsor: Mayor
Ordinance appropriating \$10,193,602 of sources and \$4,556,230 of uses and de-appropriating \$1,444,829 of sources and \$30,908,851 of uses in various departments consistent with the Mayor's Proposed Budget Balancing Plan for Fiscal Year 2009-2010, de-appropriating \$1,444,458 of General Fund Reserve, and de-appropriating \$35,680,341 of General Fund Unallocated revenues to balance the projected shortfall for FY2009-2010.

(Fiscal Impact.)

01/26/2010, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

01/26/2010, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Maxwell

22. 091218 [MOU, Amendment #2 - Local 798, Unit 1]
Sponsor: Mayor
Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 1, by extending the term of the parties' agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011.

01/26/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
23. 091219 [MOU, Amendment #2 - Local 798, Unit 2]
Sponsor: Mayor
Ordinance adopting and implementing Amendment #2 to the 2007-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters, Local 798, Unit 2, by extending the term of the parties' agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FY's 2009-2010 and 2010-2011.

01/26/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

24. 090835 **[Residential Rent Ordinance Prohibiting Owner Move-In Evictions of Households with a Child Under the Age of 18, Except by an Owner Moving In with a Child and Except Where the Owner Only Owns One Unit in the Building]**

Sponsors: Mar; Chiu

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9(j) to prohibit an owner move-in eviction during the school year where a child under the age of 18 resides in the unit with a tenant who has a custodial or family relationship with that child, and that tenant has resided in the unit for 12 months or more, except that this provision will not apply where there is only one unit owned by the landlord in the building or where the owner will move into the unit pursuant to a Section 37.9(a)(8) eviction has a custodial or family relationship with a child under the age of 18 who will reside in the unit with the owner; and renumbering current Section 37.9(j) as Section 37.9(k).

(Supervisor Maxwell dissented in Committee.)

01/05/2010; CONTINUED ON FIRST READING.

01/12/2010; CONTINUED ON FIRST READING.

01/26/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

01/26/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly

25. 091402 **[Medical Cannabis Task Force]**

Sponsors: Campos; Mirkarimi, Avalos and Daly

Ordinance amending the San Francisco Administrative Code by adding Sections 5.2-1 through 5.2-6, to establish a Medical Cannabis Task Force to advise the Board of Supervisors on medical cannabis issues.

01/26/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

01/26/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors Avalos, Mirkarimi, Elsbernd

26. 091457 [Earthquake-Safety and Emergency Response General Obligation Bonds - \$652,070,000]
Sponsors: Mayor; Chiu, Avalos, Campos, Duffy, Mirkarimi, Mar and Maxwell
Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$652,070,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 091458 [Earthquake Safety and Emergency Response General Obligation Bond Election - \$652,070,000]

Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$652,070,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 100049 [Accept and Expend Grant - Protocol for ENERGYSTAR and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$80,000]

Sponsor: Dufty

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$80,000 from the US Environmental Protection Agency-Region 9 to research and develop a new protocol for ENERGYSTAR in Multifamily High-rise residential and mixed-use buildings and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Chu

29. 091454 **[MOU - San Francisco Deputy Sheriffs' Association - Unit 12A]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12A, to be effective July 1, 2009, through June 30, 2012.
(Fiscal Impact.)
Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 091455 **[MOU - San Francisco Deputy Sheriffs' Association - Unit 12B]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12B, to be effective July 1, 2009, through June 30, 2012.
(Fiscal Impact.)
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

31. 091441 **[Recreation and Park Department - Animal Protections; Increasing Penalties for Park Code Violations]**
Sponsor: Elsbernd
Ordinance amending the San Francisco Park Code by amending Section 4.01 to prohibit entrance into animal habitats or enclosures at the San Francisco Zoo and the bison paddock; amending Section 5.07 to prohibit feeding non-domesticated animals in parks; amending Section 5.08 to prohibit taunting or endangering animals at the Zoo or in the bison paddock; and amending Section 10.01 to increase the penalties for violation of the Park Code up to \$500 maximum for an infraction and up to \$1000 for a misdemeanor.
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

32. 091231 **[Authorizing the Municipal Transportation Agency to Implement On-Street Parking Meter and Parking Control Pilot Projects]**
Ordinance authorizing the Municipal Transportation Agency to implement and extend SFpark parking meter and parking control pilot projects. (Municipal Transportation Agency)
Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Special Meeting on Thursday, January 28, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 2, 2010.

33. 091429 **[Establishing a Film Commission, its Membership, Qualifications, and Powers]**
Sponsors: Alioto-Pier; Daly, Campos and Mar
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits.

Question: Shall this Charter Amendment be SUBMITTED?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, February 2, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 2, 2010.

34. 100047 **[Planning Code - Interim Controls Related to Affordable Housing Requirements]**
Sponsors: Mayor; Chiu
Resolution approving interim controls providing that the alternatives provided to project applicants of residential development under Planning Code Section 315 et seq. shall, except for certain eligible projects, be suspended and replaced by an interim affordable housing fee that is equivalent to the current in lieu fee and amending the housing requirements for residential projects in the Rincon Hill Area Plan for 18 months or until a permanent ordinance amending Planning Code Section 315 et seq. is adopted; and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 40

35. 100106 [Supporting the Department of Public Works Accreditation Efforts]

Sponsor: Duffy

Resolution supporting the Department of Public Works' application to the American Public Works Association for accreditation.

01/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 100107 [Declaring February 5, 2010, as Joe Illick Day in San Francisco]

Sponsor: Duffy

Resolution declaring February 5, 2010, as Joe Illick Day in San Francisco.

01/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 37. 100108 [Commending the Obama Administration for the Granting of Temporary Protected Status to Haitians Living in the United States]**
Sponsors: Campos; Avalos and Chiu
Resolution commending the Obama Administration for granting temporary protected status to Haitians in the United States, and directing the Clerk of the Board to send a letter of support to President Obama, Secretary Napolitano, Speaker Pelosi, Senator Feinstein, and Senator Boxer.
- 01/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 38. 100109 [In Solidarity With the Workers of the Mexican Electricians Union]**
Sponsor: Avalos
Resolution urging President Felipe Calderon and the Mexican Federal Government to immediately re-instate the workers of the Mexican Electricians Union and remove all military and police personnel from the occupied Mexican power plants.
- 01/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 39. 100110 [Declaring February 1 - 7, 2010, as Larry Brinkin Week in the City and County of San Francisco]**
Sponsor: Dufty
Resolution declaring February 1 - 7, 2010, as Larry Brinkin Week in the City and County of San Francisco.
- 01/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 40. 100111 [Urging Congress and President Obama to Increase California's Federal Medical Assistance Percentage by Renewing Federal Stimulus Funds]**
Sponsor: Avalos
Resolution urging Congress and President Obama to increase California's Federal Medical Assistance Percentage by renewing federal stimulus funds.
- 01/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTION

100085 [Settlement of Unlitigated Claim - Patricia Geary - \$80,000]

Resolution approving the settlement of the unlitigated claim filed by Patricia Geary against the City and County of San Francisco for \$80,000; claim was filed on September 18, 2009. (City Attorney)

01/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100114 [Petitions and Communications]

Petitions and Communications received from January 19, 2010, through January 25, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 2, 2010.

From the Asian Firefighters Association, submitting opposition to the proposed Charter Amendment that eliminates the 48.7 hour limit on the work week for firefighters. File No. 090606, Copy: Each Supervisor (1)

From Emerald Spear, regarding the next Earth Summit in Brazil in 2012. (2)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from January 23, 2010, until January 24, 2010. Copy: Each Supervisor, City Attorney (3)

From Police Commission, requesting the Board of Supervisors to urge the state lawmakers to do all things necessary to ensure that violent felons are prohibited from wearing body armor. Copy: Each Supervisor, City Attorney (4)

From Office of the Mayor, submitting letter vetoing ordinance that extends "just cause" eviction protections for tenants in most residential rental units with a certificate of occupancy issued after June 13, 1979, and that are not currently under rent control. File No. 090583, Copy: Each Supervisor, City Attorney (5)

From Office of the Controller, submitting recommendations for improved streetscape project planning, design, review, and approval. Copy: Each Supervisor (6)

From Ajay Martin, submitting opposition to Muni's plan to cut service and raise fares. (7)

From Howard Chabner, regarding the North Beach branch library. (8)

From Office of the Controller, submitting Quarterly Review of the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2009. Copy: Each Supervisor (9)

From Office of the Controller, regarding the extension of gross receipts taxes to the Presidio and other federal enclaves within San Francisco. (Reference No. 20091208-001) (10)

From Ethics Commission, submitting the efficiency plan for FY2010-2013. (11)

From Office of the Controller, submitting report concerning the audit of franchise fee payments Comcast of California made to the City and County of San Francisco to operate a cable television system. Copy: Each Supervisor (12)

From Ms. Wells, submitting opposition to the Sanctuary law in San Francisco. (13)

From Andre Morand, expressing his concern about Walgreen's selling alcohol. (14)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests for Stanton Jones - leaving. (15)

From Kimo Crossman, regarding the transfer tax in San Francisco. (16)

From Department of Animal Control, submitting request for waiver of Administrative Code Chapter 12B for Bayer Healthcare. (17)

From Denae Green, announcing the 30th Anniversary of Black Cuisine on March 6, 2010. (18)

From Office of the Mayor, submitting appointment of Mark Burell, Recreation and Parks Commission, term ending June 25, 2010. (19)

From Employees' Retirement System, submitting the retirement contribution rates for FY2010-2011. Copy: Each Supervisor (20)

From Dominic Paris, submitting support for a "Sit-Lie" Law in San Francisco. (21)

From concerned citizen, regarding police officers given four year scholarships to attend the Academy of Art University. (22)

From Valerie Chu, urging the Board of Supervisors to have an Environmental Impact Report done on the proposed Golden Gate Park Beach Chalet soccer fields near Ocean Beach. (23)

From Chris Dowd, submitting support for the proposed Golden Gate Park Beach Chalet soccer fields near Ocean Beach. (24)

From Matthew Nakatani, regarding complaint about an aggressive MTA fares inspector. (25)

From Supervisor David Chiu, submitting the reappointment of Supervisor Sean Elsbernd to the San Francisco Retirement Board. Copy: Rules Committee Clerk (26)

From Elections Commission, submitting its Annual Report of the Commission's activities over the previous year. Copy: Each Supervisor (27)

From Peter Scott, submitting support for the high rise condo project at 555 Washington Street. (28)

From Kate Goyette, requesting an extension of the public comment period for the Draft Environmental Impact Report on Candlestick Point/Hunters Point Shipyard Phase II. (29)

From concerned citizens, urging the Board of Supervisors to reject the all-golf alternative and support the restoration of Sharp Park to a public park that protects endangered species. File No. 091307, 5 letters (30)

From Aaron Goodman, submitting letter entitled SFMTA - Community Benefit vs. Private Interests. (31)

From Stephen Causey, regarding publishing the pictures of those arrested for solicitation of prostitution. (32)

ADJOURNMENT



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, February 9, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

FEB - 5 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM



Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the January 12, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100049 [Accept and Expend Grant - Protocol for ENERGYSTAR and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$80,000]

Sponsor: Dufty

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$80,000 from the US Environmental Protection Agency-Region 9 to research and develop a new protocol for ENERGYSTAR in Multifamily High-rise residential and mixed-use buildings and amending Ordinance Number 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

02/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **100028 [Approval of the Mental Health Services Act Information Technology Component and Technological Needs Three-Year Program and Expenditure Plan]**

Resolution approving the Mental Health Services Act Information Technology Component and Technical Needs Three-Year Program and Expenditure Plan and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. **091231 [Authorizing the Municipal Transportation Agency to Implement On-Street Parking Meter and Parking Control Pilot Projects]**

Ordinance authorizing the Municipal Transportation Agency to implement and extend SFpark parking meter and parking control pilot projects. (Municipal Transportation Agency)

02/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Dufty

4. **100027 [Approving the City and County's Triennial Self Assessment and Review of its Child Welfare and Juvenile Probation Placement Services]**

Resolution approving San Francisco's Child and Family Services Review - Self Assessment, a review of its Child Welfare and Juvenile Probation Placement Services, including a needs assessment for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

5. 100145 **[Adopting Findings Related to the Conditional Use Appeal on Property Located at 1969 California Street]**
Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street. (Clerk of the Board)
- 02/02/2010; REFERRED to the Board of Supervisors.
- Question: Shall this Motion be APPROVED?**
6. 100039 **[Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]**
Sponsors: Avalos; Campos, Mirkarimi and Mar
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance:" by amending Section 37.2 and adding new Section 37.9D to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979), when those units are subjected to foreclosure; and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.
- 01/12/2010; AMENDED. Duplicated, see File No. 090583.
- 01/12/2010; CONTINUED AS AMENDED ON FIRST READING. Continued to February 9, 2010.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Chu

7. **091454** **[MOU - San Francisco Deputy Sheriffs' Association - Unit 12A]**
 Sponsor: Mayor
 Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12A, to be effective July 1, 2009, through June 30, 2012.

 (Fiscal Impact.)

 02/02/2010; PASSED ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?
8. **091455** **[MOU - San Francisco Deputy Sheriffs' Association - Unit 12B]**
 Sponsor: Mayor
 Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association for Unit 12B, to be effective July 1, 2009, through June 30, 2012.

 (Fiscal Impact.)

 02/02/2010; PASSED ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

9. **091441** **[Recreation and Park Department - Animal Protections; Increasing Penalties for Park Code Violations]**
 Sponsor: Elsbernd
 Ordinance amending the San Francisco Park Code by amending Section 4.01 to prohibit entrance into animal habitats or enclosures at the San Francisco Zoo and the bison paddock; amending Section 5.07 to prohibit feeding non-domesticated animals in parks; amending Section 5.08 to prohibit taunting or endangering animals at the Zoo or in the bison paddock; and amending Section 10.01 to increase the penalties for violation of the Park Code up to \$500 maximum for an infraction and up to \$1000 for a misdemeanor.

 02/02/2010; AMENDED.

 02/02/2010; PASSED ON FIRST READING AS AMENDED.

 Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter Amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter Amendment appropriately may be continued and considered at least one week prior to submission to the electorate.)

10. 091429 [Establishing a Film Commission, its Membership, Qualifications, and Powers]

Sponsors: Alioto-Pier; Daly, Campos and Mar

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits.

02/02/2010; CONTINUED. Continued to February 9, 2010.

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

11. 100146 [Committee of the Whole - Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000]
Hearing of persons interested in or objecting to proposed Resolution and proposed Ordinance relating to the Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation**Recommendations of the Budget and Finance Committee**

Present: Supervisors Avalos, Mirkarimi, Elsbernd

12. 091457 [Earthquake Safety and Emergency Response General Obligation Bonds - \$652,070,000]
Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell
Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$652,070,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

(Fiscal Impact.)

02/02/2010; AMENDED.

02/02/2010; CONTINUED AS AMENDED. Continued to February 9, 2010.

Question: Shall this Resolution be ADOPTED?

13. 091458 [Earthquake Safety and Emergency Response General Obligation Bond Election - \$652,070,000]

Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$652,070,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building and a Forensic Sciences Center, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact.)

02/02/2010; AMENDED.

02/02/2010; CONTINUED AS AMENDED ON FIRST READING. Continued to February 9, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

- 14. 091460 [Authorizing the Execution of an Option to Purchase Interests in the Properties Located at 1600 and 1670 Owens Street, San Francisco and Acquire Related Design and Construction Plans]**
Sponsor: Mayor
Ordinance approving City's execution of option agreement for purchase of (i) real property located at 1600 Owens Street, San Francisco, California for purpose of construction of new laboratory building for use by the City's Office of the Chief Medical Examiner and the Forensic Science Division, (ii) tenancy-in-common interest in the land and existing parking structure located at 1670 Owens Street San Francisco, California, (iii) rights to use existing permitted base building design and construction documents in connection with City's proposed construction of new laboratory building at 1600 Owens Street, and (iv) acquisition of rights and assumption of obligations under certain existing design and development contracts related to such proposed laboratory building construction; exempting acquisition by City of existing permitted base building design and construction documents and related design or construction contracts from Chapter 6 of City's Administrative Code; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.
- (Fiscal Impact.)
(Supervisor Mirkarimi dissented in Committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
- 15. 100025 [Bond Sale of Clean and Safe Neighborhood Parks General Obligation Bonds - Not to Exceed \$65,000,000]**
Sponsor: Mayor
Resolution authorizing and directing the sale of not to exceed \$65,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008), Series 2010B, and City and County of San Francisco General Obligation Bonds (Clean and Safe Neighborhood Parks Bonds, 2008), Series 2010D (Federally Taxable Build America Bonds); prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**

16. 100024 [Bond Sale of San Francisco General Hospital Improvement Bonds - Not to Exceed \$305,000,000]

Sponsor: Mayor

Resolution authorizing and directing the sale of not to exceed \$305,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2010A, and City and County of San Francisco General Obligation Bonds (San Francisco General Hospital Improvement Bonds, 2008), Series 2010C (Federally Taxable Build America Bonds); prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi

17. 100101 [Appropriating \$305,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for FY2009-2010]

Sponsor: Mayor

Ordinance appropriating \$305,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the second issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for FY2009-2010.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, February 8, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 10, 2010.

18. 091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to offstreet parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, February 4, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, February 10, 2010.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter Amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter Amendment appropriately may be continued and considered at least one week prior to submission to the electorate.)

19. 091430 [Mandated Programming of and Expenditures for City Services, Functions, or Programs Designated by the Board of Supervisors]

Sponsor: Avalos

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: (1) allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and, (2) allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

Question: Shall this Charter Amendment be SUBMITTED?

20. 091433 [Reducing Employer Retirement Benefit Costs]

Sponsors: Elsbernd; Mayor

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System ("SFERS") set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010 who become members of the California Public Employees' Retirement System ("CalPERS"); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010 to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010 that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

Question: Shall this Charter Amendment be SUBMITTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

(Pending approval of File No. 100131.)

21. 100132 [Closed Session - Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on February 9, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

Question: Shall this Motion be APPROVED?

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 22 and 23

22. 100131 [Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on February 9, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

02/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

23. 100119 [Committee of the Whole - Redevelopment Agency Disposition and Development Agreement]

Sponsor: Mirkarimi

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on February 23, 2010, for the purpose of considering a resolution approving a disposition and development agreement for a vacant parcel at 1345 Turk Street.

02/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

24. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from January 26, 2010, to February 1, 2010, for reference by President to appropriate committee on February 9, 2010.

100112 [Including Dispatch Services in the Program for Additional Police Department Services]

Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4 and 10B.5 to include dispatch services provided by the Department of Emergency Management in the program for additional Police Department services. (Department of Emergency Management)

01/29/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

100113 [Private Ambulance Regulatory Fee Payments]

Ordinance amending Business and Tax Regulations Code Section 249.8 to require payment of private ambulance regulatory fees to the Department of Emergency Management rather than to the City Treasurer. (Department of Emergency Management)

01/29/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100118 [Settlement of Claim - Elisa Gill - \$50,000]

Resolution approving the settlement of Equal Employment and Opportunity Commission Charge No. 550-2009-00090, filed by Elisa Gill on October 28, 2008, against the San Francisco Public Utilities Commission, for \$50,000. (City Attorney)

02/01/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTION

Proposed resolution received from January 26, 2010, to February 1, 2010, for reference by President to appropriate committee on February 9, 2010.

100105 [Approval of Contract for Uncompensated Reimbursement Recovery Services for the Department of Public Health]

Resolution authorizing the San Francisco Department of Public Health to amend its contract with Health Advocates, LLC to provide uncompensated reimbursement recovery services for the term of April 1, 2006, through December 31, 2013 in the amount of \$16,570,000. (Public Health Department)

01/27/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100144 [Petitions and Communications]

Petitions and Communications received from January 26, 2010, through February 1, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 9, 2010.

From concerned citizens, submitting opposition to California Pacific Medical Center's "Master Plan" for St. Lukes Hospital and the new Cathedral Hill facility. 4 letters (1)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for Transtech. (2)

From San Francisco Beautiful, urging the Recreation and Parks Department to perform a full Environmental Impact Report on the proposed expansion of the Beach Chalet Soccer Fields. (3)

From Department of Emergency Management, submitting the efficiency plan for FY2010-2011. (4)

From Department of Public Health, submitting the efficiency plan for FY2009-2010. (5)

From Civil Service Commission, submitting the efficiency plan for FY2010-2011. (6)

From the Public Library, submitting the 2000 Branch Library Improvement Bond Quarterly Report for the Fourth Quarter of 2009. (7)

From Public Utilities Commission, submitting the 2009 Annual Report for the Public Utilities Revenue Bond Oversight Committee. Copy: Each Supervisor (8)

From concerned citizens, commenting on Muni's proposed fare increase. 4 letters (9)

From concerned citizens, urging the Board of Supervisors to reject the all-golf alternative and support the restoration of Sharp Park to a public park that protects endangered species. File No. 091307, 2 letters (10)

From Stephen Teillon, requesting help addressing the safety issues posed by the San Jose Avenue exit ramp off I-280. (11)

From T Mobile, submitting notification letter for a cellular site at UCSF Hearst Tower at 1560 Third Street. (12)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Linnette Peralta Haynes, Legislative Aide to Supervisor Campos, leaving. (13)

From Department of Technology, submitting the Justice Tracking Information System project status report. Copy: Each Supervisor (14)

From Tim Bohan, regarding the food cart at the northeast corner of Cesar Chavez and Hampshire Streets. (15)

From Children and Families Commission, submitting the efficiency plan for First 5 San Francisco for FY2010-2011. (16)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to New Restricted Species Permits and Requirements. (17)

From State Senate Rules Committee, submitting appointment of Thomas O'Malley of Atascadero as a member of the Water Quality Control Board, Central Coast Region. (18)

From Robin Zone, submitting support for legislation restricting use of cell phones in public offices, public transportation, bank public areas, libraries and other public spaces. (19)

From Ronald Won, submitting opposition for the issuance of a Request for Proposal for Community Choice Aggregation Services for CleanPowerSF. (20)

From Bicycle Coalition, urging the Metropolitan Transportation Commission to recommit the \$70,000,000 in American Recovery and Reinvestment Act stimulus funds to support transit agencies and bike and pedestrian amenities. Copy: Each Supervisor (21)

From Peter Milton, commenting the Mayor's proposal for getting some tax relief as an incentive to hiring for those in the private sector. (22)

From Lauri Fried-Lee, submitting support for the issuance of a Request for Proposals for Community Choice Aggregation Services for CleanPowerSF. (23)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

93-09-1071/1/2 2/20/10

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows: **COALITION**
time all interested parties may attend and be heard: **DOCUMENTS DEPT**

Date: Tuesday, February 23, 2010

FEB - 9 2010

Time: 3:00 p.m.

SAN FRANCISCO
PUBLIC LIBRARY

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to consider the Proposed Disposition and Development Agreement between the Redevelopment Agency of the City and County of San Francisco and MSPDI, Turk LLC., for the disposition of land at 1345 Turk Street pursuant to the provisions of the California Community Redevelopment Law Section 33433

The purpose of said hearing is to hear all persons interested in the matter of the proposal of the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency") to enter into a Disposition and Development Agreement in connection with the sale of land for \$648,000 at 1345 Turk Street, more specifically described as APN: Lot No. 017; Block No. 0756 (the "Property").

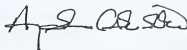
The Redevelopment Agency proposes to enter into said Disposition and Development Agreement for the disposition of the land for said Property to the following named Developer on or after February 23, 2010:

MSPDI, TURK LLC
A CALIFORNIA LIMITED LIABILITY COMPANY

The Redevelopment Agency has prepared a report pursuant to Section 33433 of the California Community Redevelopment Law. The report contains the following (1) a copy of the Disposition and Development Agreement and (2) a summary of the proposed transaction. Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the report at the following address: San Francisco Redevelopment Agency, One South Van Ness Avenue, 5th Floor, San Francisco, California, 94103.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public records in this matter, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Agenda information relating to this matter will be available for public review, at the Office of the Clerk of the Board, on Thursday, February 18, 2010.



Angela Calvillo
Clerk of the Board

DATED: February 9, 2010
PUBLISHED: February 9, 2010 and February 16, 2010



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

02-19-10A08310 07/11

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

Tuesday, February 23, 2010 - 2:00 PM

FEB 19 2010

Regular Meeting

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFFY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Duffy, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Duffy

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third Board Meeting of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6**Recommendations of the Budget and Finance Committee**

Present: Supervisors Avalos, Mirkarimi

1. 100101 [Appropriating \$305,000,000 of General Obligation Bonds for the San Francisco General Hospital and Trauma Center for the Department of Public Health for FY2009-2010]

Sponsor: Mayor

Ordinance appropriating \$305,000,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election authorizing the second issuance of general obligation bonds for the building or rebuilding and earthquake safety improvement of the San Francisco General Hospital and Trauma Center in the Department of Public Health for FY2009-2010.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd

2. 100066 [Accept and Expend Grant - Transportation Development Act, Article 3 - \$1,089,413]

Sponsors: Mayor; Chiu and Dufty

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend a grant in the amount of \$1,089,413 from the Metropolitan Transportation Commission for various bicycle projects in the City and County of San Francisco in FY2009-2010.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

3. 100096 [Accept and Expend Grant - Light Brown Apple Moth Program - \$42,448.60]

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Food and Agriculture in the amount of \$42,448.60 to fund the Little Brown Apple Moth Program for the period of July 1, 2009, through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

4. 100097 [Accept and Expend Grant - Ghana's Most-At-Risk Populations Size Estimation - \$28,465]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$28,465 from the University of California San Francisco (UCSF), to assist with a project entitled "Ghana's Most-At-Risk Populations Size Estimation" for the period of January 1, 2010, through March 31, 2010.
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Maxwell, Chiu

5. 091472 [Agreement to Purchase a Road Easement Over Portions of APN 011-001-028 Located in Stanislaus County]
Resolution approving and authorizing an agreement for the purchase of a 0.48 acre permanent road easement over portions of Assessor's Parcel No. 011-001-028 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

6. 100115 [Appointments, Citizen's Committee on Community Development - Charlie Sciammas, Rene Cazenave, Joshua Arce and Gaylen Mohre]
Motion appointing Charlie Sciammas, Rene Cazenave, Joshua Arce and Gaylen Mohre, terms to be determined, to the Citizen's Committee on Community Development. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA**UNFINISHED BUSINESS****Vetoed by the Mayor**

Consideration of Mayor's veto pursuant to Charter Section 2.106 of an Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding sections 3.600, 3.605, 3.610, and 3.615, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings and to require the Police Department to report to the Board of Supervisors regarding the cost of security.

7. 091015 [Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]

Sponsors: Mirkarimi; Campos, Avalos and Daly

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding sections 3.600, 3.605, 3.610 and 3.615, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings and to require the Police Department to report to the Board of Supervisors regarding the cost of security.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override. The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on February 5, 2010. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before March 7, 2010.

12/15/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/15/2009; RE-REFERRED to the Rules Committee.

01/05/2010; CONTINUED ON FIRST READING.

01/12/2010; PASSED ON FIRST READING.

01/26/2010; FINALLY PASSED.

Action: _____

From the Board**8. 100039 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]****Sponsors: Avalos; Campos, Mirkarimi and Mar**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2 and adding new Section 37.9D to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979), when those units are subjected to foreclosure; and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

01/12/2010; AMENDED. Duplicated, see File No. 090583.

01/12/2010; CONTINUED AS AMENDED ON FIRST READING.

02/09/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?**Recommendation of the Budget and Finance Committee***Present: Supervisors Avalos, Mirkarimi, Elsbernd***9. 091460 [Authorizing the Execution of an Option to Purchase Interests in the Properties Located at 1600 and 1670 Owens Street, San Francisco and Acquire Related Design and Construction Plans]****Sponsor: Mayor**

Ordinance approving the City's execution of option agreement for purchase of (i) real property located at 1600 Owens Street, San Francisco, California for purpose of construction of new laboratory building for use by the City's Office of the Chief Medical Examiner and the Forensic Science Division, (ii) tenancy-in-common interest in the land and existing parking structure located at 1670 Owens Street San Francisco, California, (iii) rights to use existing permitted base building design and construction documents in connection with City's proposed construction of new laboratory building at 1600 Owens Street, and (iv) acquisition of rights and assumption of obligations under certain existing design and development contracts related to such proposed laboratory building construction; exempting acquisition by City of existing permitted base building design and construction documents and related design or construction contracts from Chapter 6 of City's Administrative Code; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

(Supervisor Mirkarimi dissented in Committee.)

02/09/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

10. 091165

[Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Board**8. 100039 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]****Sponsors: Avalos; Campos, Mirkarimi and Mar**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2 and adding new Section 37.9D to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979), when those units are subjected to foreclosure; and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

01/12/2010; AMENDED. Duplicated, see File No. 090583.

01/12/2010; CONTINUED AS AMENDED ON FIRST READING.

02/09/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?Recommendation of the Budget and Finance Committee*Present: Supervisors Avalos, Mirkarimi, Elsbernd***9. 091460 [Authorizing the Execution of an Option to Purchase Interests in the Properties Located at 1600 and 1670 Owens Street, San Francisco and Acquire Related Design and Construction Plans]****Sponsor: Mayor**

Ordinance approving the City's execution of option agreement for purchase of (i) real property located at 1600 Owens Street, San Francisco, California for purpose of construction of new laboratory building for use by the City's Office of the Chief Medical Examiner and the Forensic Science Division, (ii) tenancy-in-common interest in the land and existing parking structure located at 1670 Owens Street San Francisco, California, (iii) rights to use existing permitted base building design and construction documents in connection with City's proposed construction of new laboratory building at 1600 Owens Street, and (iv) acquisition of rights and assumption of obligations under certain existing design and development contracts related to such proposed laboratory building . . . construction; exempting acquisition by City of existing permitted base building design and construction documents and related design or construction contracts from Chapter 6 of City's Administrative Code; adopting findings under the California Environmental Quality Act and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

(Supervisor Mirkarimi dissented in Committee.)

02/09/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

10. 091165

**[Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]
Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Board of Supervisors Sitting as a Committee of the Whole

11. 100173 [Committee of the Whole - Earthquake Safety and Emergency Response General Obligation Bonds - \$412,300,000]
Hearing of persons interested in or objecting to proposed Resolution and proposed Ordinance relating to the Earthquake Safety and Emergency Response General Obligation Bonds - \$412,300,000.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

12. 091457 [Earthquake Safety and Emergency Response General Obligation Bonds - \$412,300,000]
Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell
Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, and a Public Safety Building, and other critical infrastructure and facilities for earthquake safety and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$412,300,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

(Fiscal Impact.)

02/02/2010; AMENDED.

02/02/2010; CONTINUED AS AMENDED.

02/09/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/09/2010; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

13. 091458

[Earthquake Safety and Emergency Response General Obligation Bond Election - \$412,300,000]

Sponsors: Mayor; Chiu, Avalos, Campos, Dufty, Mirkarimi, Mar and Maxwell

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$412,300,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact.)

02/02/2010; AMENDED.

02/02/2010; CONTINUED AS AMENDED ON FIRST READING.

02/09/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/09/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Board of Supervisors Sitting as a Committee of the Whole

14. 100171 [Committee of the Whole - Mandated Reduction of Expenditures to Programs for City Services, Designated by the Board of Supervisors]
Hearing of persons interested in or objecting to proposed Charter Amendment relating to the mandated reduction of expenditures to programs for City services, designated by the Board of Supervisors (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

15. 091430 [Mandated Reduction of Expenditures to Programs for City Services, Designated by the Board of Supervisors]
Sponsor: Avalos
Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections 9.103 and 9.104 to: (1) allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, in an amount not to exceed the total value of expenditure reductions made by the Board at the same time; (2) require the relevant City departments to report to the Board on their plans for expenditure of the money appropriated; and, (3) allow the Mayor to reject or reduce an appropriation identified as mandatory and reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

02/09/2010: AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/09/2010: CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

16. 100172 [Committee of the Whole - Reducing Employer Retirement Benefit Costs and Payment for Employee Retirement Contributions]
Hearing of persons interested in or objecting to proposed Charter Amendments relating to reducing employer retirement benefit costs and payment for employee retirement contributions. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

17. 091433 [Reducing Employer Retirement Benefit Costs]
Sponsors: Elsbernd; Mayor
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

02/09/2010; DUPLICATED. See File Nos. 100156 and 100157.

02/09/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?

18. 100156 [Reducing Employer Retirement Benefit Costs]**Sponsors:** Mar; Campos

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8 432, A8 506, A8 506-2, A8 506-3, A8 510, A8 590-4 and A8 590-5, and by adding Sections A8 432-1, A8 600 to A8 600-14, A8 601 to A8 601-16 and A8 602 to A8 602-16, to: (1) restrict the City and County from agreeing to pay required employee contributions to the San Francisco Employees' Retirement System ("SFERS") or the California Public Employees' Retirement System ("CalPERS") after June 8, 2010 for firefighters, police officers and deputy sheriffs; (2) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System; and upon resolution by its governing board; (3) require the difference between the City and County's contribution to the SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (4) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (5) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010 who become members of the CalPERS; (6) require all contracts with CalPERS for persons hired on and after July 1, 2010 to include a two-year formula for the calculation of final compensation to the fullest extent possible; (7) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (8) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010 that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (9) create new retirement plans for safety members hired on and after July 1, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula.

02/09/2010 AMENDED. AMENDMENT OF THE WHOLE BEARING NEW TITLE

02/09/2010 CONTINUED AS DIVIDED

Question: Shall this Charter Amendment be SUBMITTED?**19. 100157 [Payment for Employee Retirement Contributions]****Sponsors:** Mar; Campos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section's A8 435-3, to: (1) restrict the City and County from agreeing to pay required employee contributions to the San Francisco Employees' Retirement System ("SFERS") or the California Public Employees' Retirement System ("CalPERS") after June 8, 2010 for certain employees; (2) authorize the City and County to offer a one-time sever percent (7%) wage increase to certain employees as acknowledgement that the City and County will no longer pay the required sever and one-half percent (7.5%) employee contribution to SFERS or the required employee contribution to CalPERS afforded in their most recent collectively bargained agreement provided that no such increase shall become effective before July 1, 2011; and (3) require voter approval before the City and County can pay for up to a two-year period required employee contributions to SFERS or CalPERS after June 8, 2010.

02/09/2010 CONTINUED AS DIVIDED

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

20. 100052 [Appropriating \$410,000 of Anticipated PGA Tour Revenue for the Harding Park Golf Course in the Department of Recreation and Parks for FY2009-2010]
Sponsor: Elsbernd
Ordinance appropriating \$410,000 of anticipated PGA Tour revenue to fund preparation of the Harding Park Golf Course for the 2010 Schwab Cup Tournament in the Department of Recreation and Parks for FY2009-2010.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 100142 [Appropriating \$2,816,535 of State and Federal Revenues for Various Purposes in the Human Services Agency for FY2009-2010]
Sponsor: Mayor
Ordinance appropriating \$2,816,535 of various revenues, including \$572,043 of additional In-Home Support Services administrative and fraud prevention allocation from the State, \$1,315,790 of additional Federal and State Older Youth Adoption Services allocation, and \$828,702 of additional State Food Stamps administrative allocation, for In-Home Support Services administration, In-Home Support Services fraud prevention, the Food Stamps eligibility program, and activities to promote older youth adoptions in the Human Services Agency for FY2009-2010, and placing \$254,783 of salaries and fringe benefits in the In-Home Support Services Investigations program on Budget and Finance Committee reserve.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100143 [Public Employment - Human Services Agency]
Sponsor: Mayor
Ordinance amending Ordinance No. 183-06 (Annual Salary Ordinance FY2009-2010) to reflect the addition of 42 new positions (17.64 FTEs) at the Human Services Agency.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 100161 [Adopting Implementation Plan for CleanPowerSF]
Sponsors: Mirkarimi; Campos, Mar, Duffy, Chiu and Daly
Ordinance adopting a revised Implementation Plan for the City's Community Choice Aggregation Program, CleanPowerSF, and authorizing the filing of the Implementation Plan with the California Public Utilities Commission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 100156 [Reducing Employer Retirement Benefit Costs]**Sponsors: Mar; Campos**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, A8.510, A8.590-4 and A8.590-5, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) restrict the City and County from agreeing to pay required employee contributions to the San Francisco Employees' Retirement System ("SFERS") or the California Public Employees' Retirement System ("CalPERS") after June 8, 2010 for firefighters, police officers and deputy sheriffs; (2) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (3) require the difference between the City and County's contribution to the SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (4) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (5) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010 who become members of the CalPERS; (6) require all contracts with CalPERS for persons hired on and after July 1, 2010 to include a two-year formula for the calculation of final compensation to the fullest extent possible; (7) require all contracts and contract amendments on and after July 1, 2010 for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (8) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010 that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (9) create new retirement plans for safety members hired on and after July 1, 2010 that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula.

02/09/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/09/2010; CONTINUED AS DIVIDED.

Question: Shall this Charter Amendment be SUBMITTED?**19. 100157 [Payment for Employee Retirement Contributions]****Sponsors: Mar; Campos**

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section(s) A8.409-5, to: (1) restrict the City and County from agreeing to pay required employee contributions to the San Francisco Employees' Retirement System ("SFERS") or the California Public Employees' Retirement System ("CalPERS") after June 8, 2010 for certain employees; (2) authorize the City and County to offer a one-time seven percent (7%) wage increase to certain employees as acknowledgement that the City and County will no longer pay the required seven and one-half percent (7.5%) employee contribution to SFERS or the required employee contribution to CalPERS afforded in their most recent collectively bargained agreement, provided that no such increase shall become effective before July 1, 2011; and (3) require voter approval before the City and County can pay, for up to a two-year period, required employee contributions to SFERS or CalPERS after June 8, 2010.

02/09/2010; CONTINUED AS DIVIDED.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

20. 100052 [Appropriating \$410,000 of Anticipated PGA Tour Revenue for the Harding Park Golf Course in the Department of Recreation and Parks for FY2009-2010]
Sponsor: Elsbernd
Ordinance appropriating \$410,000 of anticipated PGA Tour revenue to fund preparation of the Harding Park Golf Course for the 2010 Schwab Cup Tournament in the Department of Recreation and Parks for FY2009-2010.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 100142 [Appropriating \$2,816,535 of State and Federal Revenues for Various Purposes in the Human Services Agency for FY2009-2010]
Sponsor: Mayor
Ordinance appropriating \$2,816,535 of various revenues, including \$672,043 of additional In-Home Support Services administrative and fraud prevention allocation from the State, \$1,315,790 of additional Federal and State Older Youth Adoption Services allocation, and \$828,702 of additional State Food Stamps administrative allocation, for In-Home Support Services administration, In-Home Support Services fraud prevention, the Food Stamps eligibility program, and activities to promote older youth adoptions in the Human Services Agency for FY2009-2010, and placing \$284,783 of salaries and fringe benefits in the In-Home Support Services Investigations program on Budget and Finance Committee reserve.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100143 [Public Employment - Human Services Agency]
Sponsor: Mayor
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010) to reflect the addition of 42 new positions (17.64 FTEs) at the Human Services Agency.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 100161 [Adopting Implementation Plan for CleanPowerSF]
Sponsors: Mirkarimi; Campos, Mar, Dufty, Chiu and Daly
Ordinance adopting a revised Implementation Plan for the City's Community Choice Aggregation Program, CleanPowerSF, and authorizing the filing of the Implementation Plan with the California Public Utilities Commission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 091287 **[Tenderloin Housing Clinic Contract Approval - \$82,286,121]**
Resolution approving, retroactively, the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide master-leased housing for formerly homeless single adults to the Human Services Agency for the period of January 1, 2010, to June 30, 2015, in the amount of \$82,286,121. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

25. 100081 **[Lease for Surface Parking Between the Port of San Francisco and Central Parking System, Inc., Located in the Northern Waterfront]**
Resolution approving a Port Commission Lease (Lease No. L-14795) with Central Parking System, Inc., a Tennessee Corporation, for certain real property located at Seawall Lots (SWL) 301 bounded by Taylor Street, Jefferson Street, and Powell Street, and SWL 314 bounded by The Embarcadero and Bay Street, and Kearny Street the City and County of San Francisco for a term of 3 years. (Port)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Avalos

26. 100148 **[Setting the Budget and Legislative Analyst Services Work Plan for 2010]**
Sponsor: Mar
Motion approving the Budget and Legislative Analyst Services work plan for 2010, which: (a) allocates hours for calendar year 2010, (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours based on Board of Supervisors service needs, and (c) requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2010 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Question: Shall this Motion be APPROVED?

27. 100057 **[Budget and Legislative Analyst Audit of the City's General Fund Revenues]**
Sponsor: Mirkarimi
Motion requesting the Budget and Legislative Analyst to: (1) conduct an audit of the City and County of San Francisco's existing lease, fee, and other General Fund revenues generated by City department activities and of the City's collection of General Fund revenues; and (2) identify new General Fund revenues, enhancement of existing General Fund revenues, and improved collection of General Fund revenues.

Question: Shall this Motion be APPROVED?

28. 100094 **[Budget and Legislative Analyst Limited Scope Performance Audit of the San Francisco Municipal Transportation Agency to Determine its Effectiveness]**
Sponsors: Campos; Mirkarimi
Motion directing the Budget and Legislative Analyst to conduct a limited scope performance audit of the San Francisco Municipal Transportation Agency (SFMTA) to determine if the SFMTA is operating in the most efficient, effective, and economical manner in establishing and collecting revenues and in managing expenditures.

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

29. 091407 **[Recreation and Park Department - Naming Parcel 4 as Sutro Dunes]**
Sponsors: Mar; Maxwell
Ordinance amending the San Francisco Park Code by renaming Article 1 as "Title and General Provisions" and adding Section 1.05 to name the parcel located at the junction of the Great Highway and Balboa Street "Sutro Dunes."
Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 100009 **[Acceptance of Streets and Roadway Structures for Maintenance and Liability Purposes]**
Sponsor: Duffy
Ordinance accepting for maintenance and liability purposes the streets and roadway structures listed herein, subject to specified limitations and conditions, pursuant to California Streets and Highways Code Section 1806 and San Francisco Administrative Code Sections 1.51 et seq.; and approving Department of Public Works Order No. 178,355.
Question: Shall this Ordinance be PASSED ON FIRST READING?
31. 100010 **[Local Streets and Roads Needs Assessment]**
Sponsors: Duffy; Chiu
Resolution supporting the findings of the California Statewide Local Streets and Roads Needs Assessment.
Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

32. 100116 **[Appointment, Association of Bay Area Government Executive Board - Supervisor Chris Daly]**
Motion appointing Supervisor Chris Daly, as an alternate member, term ending June 30, 2011, to the Association of Bay Area Governments Executive Board. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole***(Pursuant to File No. 100119, approved February 9, 2010.)*

33. 100120 [Committee of the Whole - Redevelopment Agency Sale of Land at 1345 Turk Street Through a Disposition and Development Agreement]
Sponsor: Mirkarimi
Hearing to consider the Proposed Disposition and Development Agreement between the Redevelopment Agency of the City and County of San Francisco and MSPDI, Turk LLC., for the disposition of land at 1345 Turk Street, pursuant to the provisions of the California Community Redevelopment Law Section 33433.
Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

34. 100121 [Redevelopment Agency Sale of Land at 1345 Turk Street Through a Disposition and Development Agreement]
Sponsor: Mirkarimi
Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement for Assessor's Block No. 0756, Lot No. 017, commonly known as 1345 Turk Street, to sell the Site to MSPDI Turk, LLC, a California limited liability company, for the development of 32 affordable for sale housing units for low- and moderate-income households.
Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 38

35. 100163 [American Red Cross Month - March 2010]
Sponsor: Dufty
Resolution declaring March 2010 as American Red Cross Month.

02/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 100164 **[Extending the Joint City and School District Committee]**
Sponsor: Dufty
Motion amending the Board of Supervisors' Rules of Order No. 5.7 to extend the term of the Joint City and School District Select Committee through March 1, 2011.

02/09/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?
-
37. 100165 **[Endorsing Rally for California's Future - March 4, 2010]**
Sponsor: Mar
Resolution endorsing Rally for California's Future, a statewide day of action in support of education and public sector services on March 4, 2010.

02/09/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?
38. 100190 **[Accept and Expend Grant - 2010 Census Grant]**
Resolution authorizing the Office of Civic Engagement & Immigrant Affairs to accept and expend a grant in the amount of \$31,000 from the State of California, Governor's Office of Planning and Research, to support San Francisco's complete count outreach and education activities related to the 2010 Census.

02/17/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

39. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from February 2, 2010, to February 12, 2010, for reference by President to appropriate committee on February 23, 2010.

100168 [Wastewater Revenue Bond Issuance]

Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission (Commission) to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter (Charter) of the City and County of San Francisco (City) enacted by the voters on November 5, 2002, as Proposition E (Proposition E); and ratifying previous actions taken in connection therewith.

02/12/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 2, 2010, to February 12, 2010, for reference by President to appropriate committee on February 23, 2010.

100166 [Settlement of Unlitigated Claim - Larkfield, Inc. - \$49,500]

Resolution approving the settlement of the unlitigated claim filed by Larkfield, Inc. against the City and County San Francisco for \$49,500; claim was filed on September 2, 2009.

02/03/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100167 [Agreement to Purchase Two Access Road Easements Over Portions of APN 016-002-014 Located in Stanislaus County]

Resolution approving and authorizing an agreement for the purchase of two permanent access road easements totaling 1.07 acres over portions of Assessor's Parcel Number 016-002-014 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 (Project) for a purchase price of \$2,900; adopting findings under the California Environmental Quality Act (CEQA); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

02/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100169 [Wastewater Revenue Bonds Issuance - Not to Exceed \$285,600,000]

Resolution approving the issuance of not to exceed \$285,600,000 in aggregate principal amount of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)

02/12/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100191 [Petitions and Communications]

Petitions and Communications received from February 2, 2010, through February 12, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 23, 2010.

The following departments have submitted their efficiency plan for FY2010-2011:

Adult Probation
Assessor-Recorder
Art Commission
Board of Appeals
Child Support Services
Children, Youth and Their Families
Citizen Complaints
Controller's Office
District Attorney
Elections
Environment
Ethics
Fine Arts Museums
Human Resources
Human Services Agency
Law Library
Police Department
Port
Public Defender
Public Library
Public Utilities
Public Works
Department of Technology
Treasurer & Tax Collector
War Memorial and Performing Arts Center (1)

From Office of the Mayor, submitting letter vetoing ordinance that requires elected officials in San Francisco to reimburse the City for dignitary security provided during campaign-related travel. File No. 091015, Copy: Each Supervisor (2)

From Office of the Mayor, requesting the sponsors (Supervisors Chiu, Maxwell, Mirkarimi, Mar, Campos) of the recently proposed ballot initiative amending Proposition K, regarding the methods for calculating allowable shadows on City parks, withdraw their sponsorship to allow a thorough analysis of this important issue. Copy: Each Supervisor (3)

From Office of the Controller, submitting annual report on impact fees for the Market and Octavia Community Stabilization Fund for FY2008-2009. Copy: Each Supervisor (4)

From Arts Commission, submitting the quarterly report on expenditures for the quarter ending December 31, 2009. (5)

From Joseph Story, submitting opposition to Sunday parking meter enforcement in San Francisco. (6)

From Greg Miller, urging the Planning Department to require a full Environmental Impact Report for the proposed renovation of the Beach Chalet Soccer Fields. (7)

From Recreation and Parks Department, submitting the Childhood Lead Poisoning Prevention Program report. (8)

From SF Labor Council, submitting resolution in support of the extension of the Recovery Act Increase in the Federal Medical Assistance Percentage that goes to States under the federal Medicaid program. Copy: Each Supervisor (9)

From Bicycle Coalition, submitting support for proposed legislation regarding parking requirements and garage installation in existing residential buildings in Telegraph Hill, North Beach, and Chinatown. File No. 091165, Copy: Land Use Committee, Clerk (10)

From Office of the Controller, submitting the six-month budget status report for FY2009-2010. (11)

From concerned citizens, submitting opposition to any service cuts to the 311 call center. 3 letters (12)

From Meghan Collins, submitting opposition to proposed legislation regarding parking requirements and garage installation in existing residential buildings in Telegraph Hill, North Beach, and Chinatown. File No. 091165, Copy: Land Use Committee, Clerk (13)

From James Rice, regarding Norcal's proposal to ship trash from San Francisco to the Ostrom Road landfill in Yuba County. (14)

From Arthur Evans, submitting support for a "no sit and/or lie" law in San Francisco. File No. 100086 (15)

From concerned citizens, submitting support for leaving power and energy to the private sector. 3 letters (16)

From Aaron Goodman, regarding Muni bus service to the inbound M and K lines. (17)

From Howard Bloom, submitting support for a ballot measure that would make the pay scale for Muni operators subject to collective bargaining. File No. 091434 (18)

From Milton Fiala, Jr., regarding the condition of the erosion south of Sloat Boulevard. (19)

From Emily Schaffer, expressing her appreciation for the improvements made to bicycle access on Market Street. (20)

From Jayson Sath, submitting opposition to any fare increase on Muni or BART. (21)

From State Public Utilities Commission, submitting notice that an application has been filed by Pacific Gas and Electric Co. to recover costs associated with renewal of the Diablo Canyon Power Plant operating licenses. (22)

From Ahimsa Sumchai, regarding the Shipyard Candlestick Phase II draft Environmental Impact Report. (23)

From Janet Clyde, commenting on proposed legislation that prohibits smoking in enclosed areas, certain unenclosed areas, and sports stadiums. File No. 091443 (24)

From Snell & Wilmer, regarding proposed ordinance on Personal Wireless Service Facility Site Permits and Associated Fees. File No. 100041 (25)

From Lou Lesperance, submitting opposition to Municipal Transportation Agency employees getting a free monthly fast pass. (26)

From Consulate General of Mexico, regarding the workers of the Mexican Electricians Union. File No. 100109. (27)

From Human Services Agency, submitting the Human Services Agency's revised FY2008-2009 savings projections and FY2009-2010 annual projection for the Human Services Care Fund. (28)

From Greg Gerst, regarding the energy and water requirements required before someone can sell a house in San Francisco. (29)

From Aaron Godman, regarding cuts in Muni service in District 7. (30)

From Arthur Evans, regarding his experience on Haight Street. (31)

From concerned citizens, regarding Sharp Park. 5 letters. (32)

From Office of the Controller, regarding the Controller's Office Government Barometer for December 2009. (33)

From Tommy Weisbecker, submitting opposition to proposed ballot initiative amending Proposition K, regarding the methods for calculating allowable shadows on City parks, withdraw their sponsorship to allow a thorough analysis of this important issue. (34)

From James Corigan, regarding budget savings within the Fire Department. (35)

From Ronald Tierney, regarding various issues. (36)

From Peter Milton, submitting support for various Charter amendments. (37)

From Vernon Humphrey, regarding the Planning Commission and the Board of Appeals. (38)

From Victoria Isyanova, regarding the Municipal Transportation Agency's administrative staff. (39)

From Shauna Kanel, regarding the renovation of Dolores Park. (40)

From Joseph Porcoro, commenting on newspaper delivery in San Francisco. (41)

From concerned citizens, submitting support for funding the South of Market Cultural Center. 4 letters. (42)

From T-Mobile, submitting notification letter for a cellular site at 450 Sutter Street. (43)

From Bernard Choden, regarding Muni service cuts. (44)

From Planning Department, regarding Certificate of Determination of Exemption from Environmental Review for SFMTA Fiscal Emergency. Copy: Each Supervisor. (45)

From James Corrigan, regarding parking by firefighters in San Francisco. (46)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 2, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 11

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100052 **[Appropriating \$410,000 of Anticipated PGA Tour Revenue for the Harding Park Golf Course in the Department of Recreation and Parks for FY2009-2010]**
Sponsor: Elsbernd
Ordinance appropriating \$410,000 of anticipated PGA Tour revenue to fund preparation of the Harding Park Golf Course for the 2010 Schwab Cup Tournament in the Department of Recreation and Parks for FY2009-2010.

(Fiscal Impact.)

02/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100142 [Appropriating \$2,816,535 of State and Federal Revenues for Various Purposes in the Human Services Agency for FY2009-2010]
Sponsors: Mayor; Dufty
Ordinance appropriating \$2,816,535 of various revenues, including \$672,043 of additional In-Home Support Services administrative and fraud prevention allocation from the State, \$1,315,790 of additional Federal and State Older Youth Adoption Services allocation, and \$828,702 of additional State Food Stamps administrative allocation, for In-Home Support Services administration, In-Home Support Services fraud prevention, the Food Stamps eligibility program, and activities to promote older youth adoptions in the Human Services Agency for FY2009-2010, and placing \$284,793 of salaries and fringe benefits in the In-Home Support Services Investigations program on Budget and Finance Committee reserve.

(Fiscal Impact.)

02/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100143 [Public Employment - Human Services Agency]
Sponsor: Mayor
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY2009-2010) to reflect the addition of 42 new positions (17.64 FTEs) at the Human Services Agency

(Fiscal Impact.)

02/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100161 [Adopting Implementation Plan for CleanPowerSF]
Sponsors: Mirkarimi; Campos, Mar, Dufty, Chiu and Daly
Ordinance adopting a revised Implementation Plan for the City's Community Choice Aggregation Program, CleanPowerSF, and authorizing the filing of the Implementation Plan with the California Public Utilities Commission.

02/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

5. 091424 [Liquor License - 84 Second Street]
Resolution determining that the issuance of a Type 21 Off-Sale beer, wine, and distilled spirits license to Nassir A. Zughayir for Sammy's located on Second at 84 Second Street will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

6. 100032 **[Liquor License, 461 Pacific Avenue]**
Resolution determining that the issuance of a Type 42 On-Sale beer and wine public premises license to Jim Howell, for the Barrel Cellar, LLC located at 461 Pacific Avenue, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
Question: Shall this Resolution be ADOPTED?
7. 100083 **[Liquor License, 2111 Market Street]**
Resolution determining that the issuance of a Type 42 On-Sale beer and wine public premises license to Maarten Bon, for Cork located at 2111 Market Street, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions
Question: Shall this Resolution be ADOPTED?
8. 100137 **[Accept and Expend Grant - Recreation and Park Department Urban Forestry Project - \$200,000]**
Sponsor: Mar
Resolution authorizing the San Francisco Recreation and Park Department to apply for, accept and expend an Urban Forestry Inventory Grant administered by the California Department of Forestry and Fire Protection in the amount of \$200,000 for the Urban Forestry Project.
Question: Shall this Resolution be ADOPTED?
9. 100138 **[Accept and Expend Grant - Recreation and Park Department Urban Forestry Project - \$65,000]**
Sponsor: Mar
Resolution authorizing the San Francisco Recreation and Park Department to apply for, accept and expend an Urban Forestry Education Grant administered by the California Department of Forestry and Fire Protection in the amount of \$65,000 for the Urban Forestry Project.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

10. 091407 **[Recreation and Park Department - Naming Parcel 4 as Sutro Dunes]**
Sponsors: Mar; Maxwell
Ordinance amending the San Francisco Park Code by renaming Article 1 as "Title and General Provisions" and adding Section 1.05 to name the parcel located at the junction of the Great Highway and Balboa Street "Sutro Dunes."
02/23/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 100009 [Acceptance of Streets and Roadway Structures for Maintenance and Liability Purposes]

Sponsor: Dufty

Ordinance accepting for maintenance and liability purposes the streets and roadway structures listed herein, subject to specified limitations and conditions, pursuant to California Streets and Highways Code Section 1806 and San Francisco Administrative Code Sections 1.51 et seq.; and approving Department of Public Works Order No. 178,355.

02/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

12. 100039 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]

Sponsors: Avalos; Campos, Mirkarimi and Mar

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2 and adding new Section 37.9D to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979), when those units are subjected to foreclosure; and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

01/12/2010; AMENDED. Duplicated, see File No. 090583.

01/12/2010; CONTINUED AS AMENDED ON FIRST READING.

02/09/2010; CONTINUED ON FIRST READING.

02/23/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

(Pursuant to Municipal Elections Code Section 300(a), the Board of Supervisors may submit one late proposed Charter Amendment or bond measure per election.)

13. 091433

[Reducing Employer Retirement Benefit Costs]**Sponsors: Elsbernd; Mayor**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board, (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund, (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a three-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a three-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a three-year formula.

02/09/2010; DUPLICATED. See File Nos. 100156 and 100157.

02/09/2010; CONTINUED.

02/23/2010; CONTINUED.

Question: Shall this Charter Amendment be SUBMITTED?**Board of Supervisors Sitting as a Committee of the Whole**

14. 100218

[Committee of the Whole - Reducing Employer Retirement Benefit Costs]

Hearing of persons interested in or objecting to proposed Charter Amendments relating to reducing employer retirement benefit costs. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

From the Board

(Pursuant to Municipal Elections Code Section 300(a), the Board of Supervisors may submit one late proposed Charter Amendment or bond measure per election.)

15. 100156 [Reducing Employer Retirement Benefit Costs]

Sponsors: Mar; Campos

Charter Amendment (Third Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define "Participating Employers" for the Retiree Health Care Trust Fund to include the Superior Court of California, City and County of San Francisco, to the extent it participates in the City and County's Health Service System and upon resolution by its governing board; (2) require the difference between the City and County's contribution to the San Francisco Employees' Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the "Participating Employers" contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective "Participating Employers" approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees' Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a two-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff's department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula.

02/09/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/09/2010; CONTINUED AS DIVIDED.

02/23/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

02/23/2010; CONTINUED AS AMENDED.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

(Pursuant to Charter Section 9.113(c) File Nos. 100059 and 100099 require a vote of two-thirds of all members of the Board of Supervisors to approve such a supplemental appropriation.)

16. 100059 **[Appropriating \$3,257,575 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$3,257,575 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113, and placing \$406,665, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113, on Budget and Finance Committee Reserve.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
17. 100099 **[Appropriating \$1,233,664 of General Fund Reserve to the Public Defender for Salary Expenditures]**
Sponsor: Mar
Ordinance appropriating \$1,233,664 from the General Fund Reserve to the Public Defender for salary expenditures in FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
18. 100134 **[Health Service System Plans and Contribution Rates]**
Sponsor: Elsbernd
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
19. 100135 **[Establishing Monthly Contribution Amount to Health Service Trust Fund]**
Sponsor: Elsbernd
Resolution establishing monthly contribution amount to Health Service Trust Fund.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

- 20. 091344 [Redevelopment Agency Bond Authorization - \$28,000,000]**
Sponsors: Mayor; Avalos
Resolution approving the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed \$28,000,000 to finance a portion of redevelopment activities described in the approved Budget as amended for FY2009-2010 of which additional tax increment will be needed in FY2010-2011 for such financing thereof.
- Question: Shall this Resolution be ADOPTED?**
- 21. 100007 [Approving Central Subway Final Design Contract Package No. 2 - Stations - Not to Exceed \$39,949,948]**
Resolution approving Municipal Transportation Agency Contract No. CS-155-2, Professional Architectural and Engineering Services for the final design and construction of the Central Subway Project, with the Central Subway Design Group, a Joint Venture of Parsons Brinkerhoff, Kwan Hemni Architecture and Michael Willis Architecture, in an amount not to exceed \$39,949,948, for a term not to exceed ten years with an option to extend the term an additional two years.
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chi

- 22. 091443 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]**
Sponsors: Mar; Avalos
Ordinance amending Articles 19F and 19I of the San Francisco Health Code by amending Sections 1009.20-1009.23, 1009.25, and 1009.81, adding Sections 1009.26, 1009.27, and 1009.29-1009.32, and repealing Section 1009.24, to prohibit smoking in: 1) business establishments and bars regardless of whether owner-operated; 2) common areas of multi-unit housing complexes; 3) tourist lodging facilities; 4) tobacco shops; 5) charity bingo games; 6) unenclosed dining areas of restaurants; 7) service waiting areas; 8) areas outside entrances, exits and operable windows and vents of all buildings except at the curb of the nearest street, sidewalk or alley; 9) farmers markets; and 10) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas; adding administrative procedures and penalties; repealing criminal penalties; adding provisions for cost recovery and liens; and adding Administrative Code Section 10.100-193, to establish a new Public Health Environmental Health Code Compliance Fund.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

23. 091477 **[Zoning Map Amendments - 1415 Mission Street Project at Mission and Tenth Streets]**

Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sectional Map 7 to change the use classification of the property located at 1415 Mission Street (Assessor's Block No. 3510, Lot No. 001) from C-M (Heavy Commercial) to C-3-G (Downtown General Commercial) and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

24. 091370 **[Determining Surviving Spouse Status for Retirement Purposes]**

Sponsor: Elsbernd

Ordinance amending Chapter 16 of the Administrative Code by adding Administrative Code Section 16.80-8 to determine qualifications for "surviving spouse" status under the City's retirement plans.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 091435 **[Child Care Planning and Advisory Council Membership]**

Sponsor: Chiu

Ordinance amending San Francisco Administrative Code by amending section 5.200, to: (1) reduce the number of members of the Child Care Planning and Advisory Council from 30 to 25, and provide for the appointment of 12 members by the Board of Supervisors, 12 members by the Board of Education, and the joint appointment of one member by the Board of Supervisors and Board of Education; (2) provide for the establishment of a Council Executive Committee; and (3) amend the attendance, qualification, membership term, and compensation provisions for Council Members.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 100055 **[Initiative Ordinance - Budget Line Item for Police Department Dignitary Security - June 8, 2010, Election]**

Sponsor: Mirkarimi

Motion ordering submitted to the voters an ordinance requiring the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries at an election to be held on June 8, 2010.

Question: Shall this Motion be APPROVED?

27. 100056 **[Declaration of Policy - Cannabis Regulation and Control - June 8, 2010, Election]**

Sponsors: Mirkarimi; Campos

Motion ordering submitted to the voters a declaration of policy regarding the regulation of the cultivation and sale of cannabis at an election to be held on June 8, 2010.

Question: Shall this Motion be APPROVED?

28. 100186 [Appointment to San Francisco LAFCO - Supervisor Ross Mirkarimi]
Motion appointing Supervisor Ross Mirkarimi, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 100187 [Appointment to Peninsula Corridor Joint Powers Board - Supervisor Sean Elsbernd]
Motion appointing Supervisor Sean Elsbernd, term ending June 30, 2012, to the Peninsula Corridor Joint Powers Board. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee

Items 30 through 35**30. 100211 [Potrero Branch Library Reopening]****Sponsor: Maxwell**

Resolution recognizing the Grand Reopening of the Potrero Branch Library and commending the San Francisco Public Library, residents of the Potrero, the Department of Public Works, and their team, for their hard work and commitment to San Francisco and its residents

02/23/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

31. 100212 [Plan for Bicycle Facilities at Certain Dangerous Intersections and Street Segments]**Sponsor: Daly**

Resolution calling upon the Municipal Transportation Agency to commence study and planning for bicycle facilities around the intersections of Market, Polk, Oak and 10th Street, and of Howard, South Van Ness, 13th Street and Division, and along Division, 13th Street and Duboce from Folsom to Valencia.

02/23/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 100213 [Urging Further Collaboration to Improve the 2010 Bay to Breakers]**Sponsor: Mirkarimi**

Resolution commending the improvements made to the 2009 Bay to Breakers and urging the race sponsors to further collaborate with City agencies, neighborhoods, and race advocates to develop plans that will minimize adverse impacts on affected neighborhoods while including floats and non-running participants and ensuring the long-term financial and logistical success of the race.

02/23/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 100214 [Commending Brooks Orpik]
Sponsors: Chu; Dufty
Resolution commending Brooks Orpik for representing San Francisco in the 2010 Winter Olympics.

02/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 100215 [Urging the State Legislature and San Francisco's State Legislative Delegation to Permit the Continued Sale of Rice-Based Noodles]
Sponsor: Chiu
Resolution urging the State Legislature and San Francisco's State Legislative Delegation to permit the continued sale of rice-based noodles.

02/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 100216 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 8, 2010, Election]
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 8, 2010, Election. (Clerk of the Board)

02/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from February 16, 2010, to February 22, 2010, for reference by President to appropriate committee on March 2, 2010.

- 100174 [Approval of Mental Health Services Act Innovation Work Plan]**
Resolution authorizing adoption of the Mental Health Services Act Innovation Work Plan and modification of Contract No. 07-77338-000 to include this Plan in the agreement. (Public Health Department)

02/16/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100175 [Approval of Mental Health Services Act FY2010-2011 Annual Plan Update]**
Resolution authorizing adoption of the Mental Health Services Act FY2010-2011 Plan Update for the Community Services and Support, Prevention and Early Intervention, and Workforce Education and Training and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement. (Public Health Department)

02/16/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100176 [Approve a Lease with the Federal Express Corporation at Building 900]**
Resolution approving and authorizing the execution of Lease No. 09-0280 with Federal Express Corporation for cargo warehouse and support office space to be occupied by Federal Express Corporation in Building 900 at San Francisco International Airport. (Airport Commission)

02/17/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100177 [Real Property Lease Amendment - One Market Plaza]**
Resolution approving a lease at One Market Plaza, for the Department of Emergency Management under Administrative Code Section 23.27. (Real Estate Department)

02/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100192 [Petitions and Communications]

Petitions and Communications received from February 13, 2010, through February 22, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 2, 2010.

From Police Department, submitting request for release of reserved funds in the amount of \$14,112,750 for the purpose of supporting the COPS Hiring Recovery Program. Copy: Budget and Finance Chair, Clerk (1)

From SF Bay Conservation and Development Commission, submitting the 2009 annual report. Copy: Each Supervisor (2)

From T-Mobile, submitting notification letter of a proposed cellular site at 405 Valencia Street (3)

From T-Mobile, submitting notification letter of a proposed cellular site at 2155 Webster Street (4)

From Ziggy Tomcich, regarding MUNI management. (5)

From Fredrick Schermer, regarding transportation and economics in Bayview Hunters Point. (6)

From Residential Rent Stabilization and Arbitration Board, submitting their efficiency plan for FY2010-2011. (7)

From Juliet Belkin, requesting a stoplight be placed at the busy intersection of 26th Avenue and Geary Boulevard. (8)

From concerned citizens, submitting support for a Charter Amendment that would make the pay scale for MUNI operators subject to collective bargaining. 2 letters (9)

From Joe Belen, regarding the Graffiti Task Force. (10)

From concerned citizens, regarding the importance of Jimmy's Old Car Picnic in Golden Gate Park. 2 letters (11)

From PUC Purchasing Department, submitting request for waiver of Administrative Code Chapter 12B for Dellner Couplers, Inc. (12)

From concerned citizens, concerning the lighting for the proposed Beach Chalet Soccer Field Project. 2 letters (13)

From Verna Shaheen, submitting opposition to any plan for artificial turf in Golden Gate Park, along with a great number of lights for the purpose of soccer fields near the Beach Chalet. (14)

From Carol Antraccoli, regarding the condition of Silver Avenue between Mission Street and San Bruno Avenue. (15)

From Office of the Mayor, requesting Supervisors Chiu, Mirkarimi, Campos, Avalos, and Mar to withdraw the proposed initiative ordinance requiring police foot patrols. Copy: Each Supervisor (16)

From Floyd Grandell, submitting opposition to legislation that mandates earthquake repairs. (17)

From Chris Coghlan, suggesting all city workers take a 5% pay cut. (18)

From Perrie & Janice Costa, regarding the recology dump site at Ostrom Road in Wheatland, CA. (19)

From Karen Grijalva, regarding the recent police crackdowns and arrests for soliciting in the Polk Street area. (20)

From Arthur Evans, regarding the public safety crisis in the Haight and other neighborhoods. 2 letters (21)

From Gloria Yee, regarding MUNI proposed budget cuts. (22)

From James Corrigan, regarding budget reductions in the Fire Department. (23)

From Jay Sath, regarding a recent MUNI accident. (24)

From Michael Adams, concerning prohibiting smoking in enclosed areas, certain unenclosed areas, and sports stadiums. File No. 091443 (25)

From Kimo Crossman, submitting questions about the Google Fiber experiment and the Committee on Information Technology. 2 letters (26)

From State Office of Historic Preservation, notifying the Board of Supervisors that One Lombard Street was placed on the National Register of Historic Places. Copy: Each Supervisor (27)

From State Public Utilities Commission, submitting notice that Pacific Gas & Electric Company has filed an application requesting changes to its electric rates effective January 1, 2011. Copy: Each Supervisor (28)

From Tim Giangioffe, regarding the homeless shelters in San Francisco. 2 letters (29)

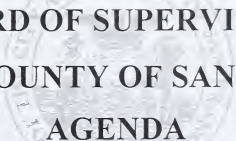
From Office of the Controller, submitting the bi-annual and monthly overtime report for FY2009-2010. (30)

From David Guldman, regarding the permanent homeless encampment on Stevenson Street (between Duboce Avenue and McCopin Street). (31)

From Thomas Carter, regarding student habitual truancies. (32)

From concerned citizens, submitting opposition to proposed legislation concerning discretionary review reform for a two-year trial period. 7 letters (33)

ADJOURNMENT



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 9, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAR - 5 2010

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DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

10:00 AM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the January 26, 2010, February 2, 2010, and February 9, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100059 [Appropriating \$3,257,575 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for FY2009-2010]
Sponsor: Mayor
Ordinance appropriating \$3,257,575 of General Fund Reserve to fund indigent defense expenses associated with increased felony caseloads in the Superior Court for FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113, and placing \$406,665, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113, on Budget and Finance Committee Reserve.

(Fiscal Impact.)

03/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100099 [Appropriating \$1,233,664 of General Fund Reserve to the Public Defender for Salary Expenditures]

Sponsors: Mar; Daly

Ordinance appropriating \$1,233,664 from the General Fund Reserve to the Public Defender for salary expenditures in FY2009-2010, requiring a two-thirds affirmative vote of all members of the Board of Supervisors per San Francisco Charter Section 9.113.

(Fiscal Impact.)

03/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100134 [Health Service System Plans and Contribution Rates]

Sponsor: Elsbernd

Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(Fiscal Impact.)

03/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100219 [Accept and Expend Grant - State Energy Program - \$2,993,029]

Sponsor: Mayor

Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend FY2009-2010 American Recovery and Reinvestment Act funds from the U.S. Department of Energy's State Energy Program, disbursed through the California Energy Commission's California Comprehensive Residential Building Retrofit Program, in the amount of \$ 2,993,029.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Elsbernd

5. 100167 [Agreement to Purchase Two Access Road Easements Over Portions of APN 016-002-014 Located in Stanislaus County]

Resolution approving and authorizing an agreement for the purchase of two permanent access road easements totaling 1.07 acres over portions of Assessor's Parcel No. 016-002-014 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of \$2,900; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

6. 100209 [Accept and Expend Grant - American Recovery and Reinvestment Act - \$2,080,000]
Sponsors: Mayor; Dufty
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$2,080,000 from the California Energy Commission's State Energy Program, to provide financial assistance for GreenFinanceSF, the City's municipal financing program for energy and water retrofits of privately-owned buildings.
- Question: Shall this Resolution be ADOPTED?
7. 100210 [Accept Grant - American Recovery and Reinvestment Act - \$875,957]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to accept a grant in the amount of \$875,957 from the California Energy Commission's State Energy Program, through the Association of Bay Area Governments, for the deployment of energy efficiency projects in the City.
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

8. 100139 [Budget and Legislative Analyst Audit of the Alemany Farmers' Market]
Sponsor: Maxwell
Motion directing the Budget and Legislative Analyst to conduct an audit of the Alemany Farmers' Market and the Real Estate Department in its capacity as operator of the market.
- Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

9. 091477 [Zoning Map Amendments - 1415 Mission Street Project at Mission and Tenth Streets]
Ordinance amending the Zoning Map of the City and County of San Francisco by amending Sectional Map 7 to change the use classification of the property located at 1415 Mission Street (Assessor's Block No. 3510, Lot No. 001) from C-M (Heavy Commercial) to C-3-G (Downtown General Commercial) and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Commission)
- 03/02/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Dufty

10. 100100 **[Accept and Expend Grant - Department of Juvenile Probation - \$150,000]**
Sponsor: Maxwell
Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of \$150,000 from the The Zellerbach Family Foundation to support the Department of Juvenile Probation's ongoing efforts in organizational and leadership development, in developing and implementing evidence based practices, and in strengthening partnerships with community based organizations.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

11. 091370 **[Determining Surviving Spouse Status for Retirement Purposes]**
Sponsor: Elsbernd
Ordinance amending Chapter 16 of the Administrative Code by adding Administrative Code Section 16.80-8 to determine qualifications for "surviving spouse" status under the City's retirement plans.

03/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 091435 **[Child Care Planning and Advisory Council Membership]**
Sponsor: Chiu
Ordinance amending San Francisco Administrative Code by amending Section 5.200, to: (1) reduce the number of members of the Child Care Planning and Advisory Council from 30 to 25, and provide for the appointment of 12 members by the Board of Supervisors, 12 members by the Board of Education, and the joint appointment of one member by the Board of Supervisors and Board of Education; (2) provide for the establishment of a Council Executive Committee; and (3) amend the attendance, qualification, membership term, and compensation provisions for Council Members.

03/02/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

13. 091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]
Sponsor: Chiu
Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

02/23/2010; CONTINUED ON FINAL PASSAGE.

Question: Shall this Ordinance be FINALLY PASSED?

- 14. 091443 [Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]**
Sponsors: Mar; Avalos
Ordinance amending Articles 19F and 19I of the San Francisco Health Code by amending Sections 1009.20-1009.23, 1009.25, and 1009.81; adding Sections 1009.26, 1009.27, and 1009.29-1009.32; and repealing Section 1009.24, to prohibit smoking in: 1) business establishments and bars regardless of whether owner-operated; 2) common areas of multi-unit housing complexes; 3) tourist lodging facilities; 4) tobacco shops; 5) charity bingo games; 6) unenclosed dining areas of restaurants; 7) service waiting areas; 8) areas outside entrances, exits and operable windows and vents of all buildings except at the curb of the nearest street, sidewalk or alley; 9) farmers markets; and 10) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas; adding administrative procedures and penalties; repealing criminal penalties; adding provisions for cost recovery and liens; and adding Administrative Code Section 10.100-193, to establish a new Public Health Environmental Health Code Compliance Fund.
- 03/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 03/02/2010; CONTINUED AS AMENDED ON FIRST READING.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Board of Supervisors Sitting as a Committee of the Whole

- 15. 100234 [Committee of the Whole - Just Cause Eviction Protections for Residential Tenants in Properties Subject to Foreclosure Which Adds to the Definition of "Foreclosure" and Includes New Noticing Requirements]**
Hearing of persons interested in or objecting to new amendments to proposed Ordinance relating to just cause eviction protections for residential tenants in properties subject to foreclosure which adds to the definition of "foreclosure" and includes new noticing requirements. (Clerk of the Board)
- Action:** _____

Committee of the Whole Adjourn and Report Without Recommendation

From the Board

16. 100039 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]
Sponsors: Avalos; Campos, Mirkarimi and Mar
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2 and adding new Section 37.9D to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979), when those units are subjected to foreclosure; and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

01/12/2010; AMENDED. Duplicated, see File No. 090583.

01/12/2010; CONTINUED AS AMENDED ON FIRST READING.

02/09/2010; CONTINUED ON FIRST READING.

02/23/2010; CONTINUED ON FIRST READING.

03/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/02/2010; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

17. 100113 [Private Ambulance Regulatory Fee Payments]
Ordinance amending Business and Tax Regulations Code Section 249.8 to require payment of private ambulance regulatory fees to the Department of Emergency Management rather than to the City Treasurer. (Department of Emergency Management)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 100105 [Approval of Contract for Uncompensated Reimbursement Recovery Services for the Department of Public Health - \$16,570,000]
Resolution authorizing the San Francisco Department of Public Health to amend its contract with Health Advocates, LLC to provide uncompensated reimbursement recovery services for the term of April 1, 2006, through December 31, 2013, in the amount of \$16,570,000. (Public Health Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Elsbernd
19. 100141 [Declaring the City's Intention to Appropriate Available Rainy Day Reserve Funds to the San Francisco Unified School District]
Sponsors: Mayor; Duffy and Chiu
Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the District cope with the loss of State funding for the 2010-2011 school year.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

20. 100023 [Requiring that Census Workers be Allowed Access to Residential Hotels to Engage in Census Activities]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to add a new goal to the Uniform Visitor Policy and any Supplemental Visitor Policies to ensure that census workers engaged in census activities are allowed access to Residential Hotels, and requesting the Rent Board to amend the Uniform Visitor Policy to incorporate this addition.

Question: Shall this Ordinance be PASSED ON FIRST READING?
21. 100160 [Appropriating \$400,000 of Revenues From the Little Hollywood Property Exchange to Fund Park and Open Space Planning in the City Planning Commission for FY2009-2010]
Sponsor: Maxwell
Ordinance appropriating \$400,000 of revenues from the transfer of a 50-foot by 628-foot strip of Channel Street on the southwest side of 7th Street owned by the City and County of San Francisco, in exchange for 35,250 square feet of land at the southwest corner of Tocoloma and Lathrop Avenues owned by Norcal Waste Systems, Inc. for park and open space planning in the Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods Program in the City Planning Commission, the Recreation and Park Department, and the Department of Public Works for FY2009-2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee*Present: Supervisors Maxwell, Mar, Chiu*

22. 091113 **[Seismic Strengthening of Soft-Story, Wood-Frame Buildings]**
Sponsor: Mayor
Ordinance finding a compelling public policy basis for expediting the processing and review of permits for voluntary seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1.
- Economic Impact
- 11/10/2009, SUBSTITUTED.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
23. 091406 **[Street Encroachment at 1 Webster Street]**
Sponsor: Dufty
Ordinance granting revocable permission to Cross Cultural Family Center, Inc., to occupy a portion of the public right-of-way to construct and maintain a fenced outdoor play space with a trellised entry, a seating area and stroller parking on the west side of Webster Street between Duboce Avenue and Hermann Street, for a new child development center at 1 Webster Street (Block No. 0874, Lot No. 014); waiving the annual right-of-way occupancy assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
24. 100029 **[Acceptance of Sewer Main and Reissuance of Encroachment Permit for Poppy Lane]**
Sponsor: Dufty
Ordinance accepting an irrevocable offer for a sewer main; dedicating said improvements for public use; accepting a sewer main on Poppy Lane for maintenance and liability purposes; rescinding Resolution No. 493-00 in order to modify and reissue the major encroachment permit for 101 Poppy Lane in accordance with this Ordinance; accepting Department of Public Works Order No. 178,477; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the eight priority policies of City Planning Code section 101.1; and authorizing official acts in connection with this Ordinance. (Public Works Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Dufty

25. 100020 [Penalties for Assaulting or Battering a Patrol Special Officer]
Sponsor: Dufty
Resolution encouraging the Chief of the San Francisco Police Department to consider imposition of increased potential penalties for individuals who commit assault or battery on a patrol special police officer.
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**COMMITTEE REPORTS**

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, March 8, 2010, at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 9, 2010.

26. 100205 [Accept and Expend Grant - FY2009 Federal Interoperable Emergency Communications Program - \$1,370,063]
Sponsor: Chu
Resolution authorizing the Department of Emergency Management, as primary grantee and fiscal agent for the Capitol-Bay Planning Area, to accept and expend retroactively a FY2009 Interoperable Emergency Communications Program Grant award in the amount of \$1,370,063 from the United States Department of Homeland Security, through the California Emergency Management Agency, for the period June 1, 2009, to February 28, 2011.
- Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 27 through 33

27. 100236 [Supporting the March to Sacramento to Protect Public Higher Education in California - March 22, 2010]

Sponsor: Avalos

Resolution supporting the March 22, 2010, "March in March IV" Sacramento to protect and promote public higher education in California and to urge State government officials to work together on FY2010-2011 budget that does not include cuts to public education and student fee increases.

03/03/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 100237 [Extending the Life of Western SoMa Citizens Planning Task Force]

Sponsor: Daly

Resolution extending the life of the Western SoMa Citizens Planning Task Force.

03/02/2010: REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 100238 **[Endorsing the California Democracy Act]**
Sponsors: Mar; Avalos and Mirkarimi
Resolution endorsing the California Democracy Act and supporting the campaign to ensure its passage in 2010.

03/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
30. 100239 **[Supporting Senate Bill 438 Regarding Charter Schools]**
Sponsor: Mar
Resolution supporting Senate Bill 438 to ensure all charter schools adhere to the states student speech and employee protection laws.

03/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
31. 100240 **[Supporting Senate Bill 330 Regarding University of California]**
Sponsor: Mar
Resolution supporting Senate Bill 330 for increased transparency and accountability in auxiliary organizations and foundations in the University of California and California State University systems.

03/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
32. 100241 **[Support of Institutional Financial Aid for Students Affected by the Provision of Assembly Bill 540]**
Sponsor: Mar
Resolution supporting institutional financial aid for students affected by the provision of Assembly Bill 540.

03/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
33. 100242 **[Call for the Federal Government to Release California Gray Whale Population Research Findings and Fund Assessment]**
Sponsor: Mirkarimi
Resolution calling on the Federal Government to make California Gray Whale (Eschrichtius Robustus) population research findings immediately available and to fund the National Marine & Fisheries Service to assess the major threats to the California Gray Whale.

03/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from February 23, 2010, to March 1, 2010, for reference by President to appropriate committee on March 9, 2010.

- 100178 [Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]**
Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc. against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

02/23/2010; RECEIVED AND ASSIGNED to the Rules Committee.

- 100179 [Settlement of Lawsuit - Vincente V. Vista - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001, entitled Vista v. City and County of San Francisco, et al. (City Attorney)

02/23/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100180 [Settlement of Lawsuit - Thomas Barnes - \$135,000]

Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)

02/25/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100181 [Settlement of Lawsuit - Elbert Harris - \$100,000]

Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000, plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)

02/25/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100182 [Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]

Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

02/25/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100246 [Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of \$10,000 or Less to a Collection Agency]

Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from \$4,000 to accounts with a fair market value of \$10,000. (Treasurer-Tax Collector)

02/25/2010; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

100247 [Additional Penalty for Underreporting Tax by Twenty-five Percent or More] Sponsor: Mayor

Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more.

02/25/2010; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

100248 [Creation of General Reserve and Budget Stabilization Reserve]

Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds. (Controller)

03/01/2010; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

- 100251 [Contract with AT&T for City Telecommunications Services - \$75,000,000]**
Ordinance approving a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of \$75,000,000, for a four and one-half year term beginning on March 1, 2010. (Department of Technology)

03/01/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 23, 2010, to March 1, 2010, for reference by President to appropriate committee on March 9, 2010.

- 100183 [Approve a Lease with the U.S. Government for Space to be Occupied by the U.S. Drug Enforcement Administration at Terminal 3 of the Airport]**
Resolution approving and authorizing the execution of Lease No. 10-0015 with the U.S. Government for office space to be occupied by the U.S. Drug Enforcement Administration, a Federal agency, in Terminal 3 at San Francisco International Airport. (Airport Commission)

02/23/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100184 [Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Clear Channel Outdoor, Inc. Lease Agreement, for the Airport Advertising Program at San Francisco International Airport Lease No. 00-0408 between Clear Channel Outdoor, Inc., dba Clear Channel Airports and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

02/24/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100185 [Airport Lease and Operating Agreement]**
Resolution approving the exercise of the fourth of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

02/24/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100249 [Settlement of Unlitigated Claim – Marlon Miranda - \$75,000]**
Resolution approving the settlement of the unlitigated claim filed by Marlon Miranda against the City and County of San Francisco for \$75,000; claim was filed on June 18, 2009. (City Attorney)

03/01/2010; RECEIVED AND ASSIGNED to the Rules Committee.

- 100250 [Settlement of Unlitigated Claim – Thelma Jefferson - \$200,000]**
Resolution approving the settlement of the unlitigated claim filed by Thelma Jefferson against the City and County of San Francisco for \$200,000; claim was filed on September 28, 2009. (City Attorney)

03/01/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100245 [Petitions and Communications]

Petitions and Communications received from February 23, 2010, through March 1, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 9, 2010.

From Health Service System, submitting Efficiency Plan FY2010-2011. (1)

From Employees' Retirement System, submitting supplemental report for proposed Charter Amendment. File No. 100156, Copies: Each Supervisor. (2)

From Mayor Newsom, submitting letter requesting Supervisors Chiu, Daly, Campos, Avalos, and Mirkarimi to withdraw the proposed ballot initiative amending the Rent Ordinance to add a new section for "Tenant Financial Hardship Applications". File No. 100077, Copies: Each Supervisor (3)

From Joseph Cadiz, submitting opposition to the proposed ballot initiative amending the Rent Ordinance to add a new section for "Tenant Financial Hardship Applications". File No. 100077, Copies: Each Supervisor (4)

From Sheriff's Department, submitting Efficiency Plan for FY2010-2011. (5)

From Department of Elections, submitting Notice of Ballot Simplification Committee Meetings for the June 8, 2010, Consolidated Statewide Direct Primary Election. (6)

From Capital Planning Committee, regarding March 1st Deadline for FY2011-2020 Capital Plan. Copies: Each Supervisor (7)

From Capital Planning Committee, submitting a copy of recommendations from February 22, 2010, CPC Meeting. Copies: Each Supervisor (8)

From Bhanuprakash Panchanahalli, expressing concerns regarding the safety of the Taxi "Short" system at SFO. (9)

From Office of the Controller, submitting results of follow-up review for the audit of Laguna Honda Hospital. Copies: Each Supervisor (10)

From Senior Action Network, submitting letter resigning from the Local Homeless Coordination Board due to loss of funding and staff. (11)

From Department of Public Works, submitting a report on the use of funds appropriated from the Local Street and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 by DPW. (12)

From Office of the Treasurer & Tax Collector, submitting the Monthly Investment Report for January 2010. (13)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Alexander Randolph, Legislative Aide to Supervisor Campos, assuming. (14)

From James Corrigan, submitting suggestions to cut the Fire Departments budget. Received 2 letters. (15)

From Fish and Game Commission, submitting the following:

- Notice of proposed regulatory actions relative to "Mammal Hunting Regulations".
- Notice of proposed regulatory action relating to Klamath Trinity River sport fishing.
- Notice of proposed regulatory action relating to Ocean Salmon sport fishing.
- Notice of proposed regulatory action relating to Central Valley sport fishing.
- Notice of receipt of petition to list the Mountain Yellow-Legged Frog (*Rana muscosa*) and *Rana sierrae* as endangered species. (16)

From concerned citizens, submitting support for the Nob Hill Masonic Auditorium's request for a Conditional Use Permit. Received 2 Letters. (17)

From Janet Gracyk, regarding the proposal to install new soccer fields at the western end of Golden Gate Park. (18)

From Library Users Association, urging the Board of Supervisors to stop the closure of Park Branch Library. (19)

From Library Users Association, regarding the amount of money spent on new library construction projects and zero spent on library services. (20)

From concerned citizens, submitting opposition to public power in San Francisco. (21)

From Arthur Evans, regarding the Public Safety Committee hearing on the Sit-Lie issue. (22)

From Ann Haver, regarding proposal to raise MUNI fares for seniors and the disabled. (23)

From John Smith, regarding the 2010 Census. (24)

From Ahimsa Sumchai, regarding statements in the Chronicle regarding dust exposure at Hunters Point Shipyard. (25)

From Susan White, urging the Board of Supervisors to remove the provision that only exempts "semi enclosed" smoking rooms from the proposed smoking legislation. File No. 091443 (26)

From Anne Murphy, submitting support for a ban on wood burning fireplaces. (27)

From Brian Browne, regarding carcinogenic second hand smoke from Kokkari Restaurant. (28)

From Jay Sath, regarding the homeless issue in San Francisco. (29)

From Brad Johnson, submitting support for clean power in San Francisco. (30)

From Jacqueline Steager, regarding the Alcoholic Beverage Commission. (31)

From Peter Schurman, submitting support for a new traffic ordinance in San Francisco. (32)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 16, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAR 12 2010

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room. Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at soff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the February 23, 2010, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third Board Meeting of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100113 **[Private Ambulance Regulatory Fee Payments]**
Sponsor: Avalos
Ordinance amending Business and Tax Regulations Code Section 249.8 to require payment of private ambulance regulatory fees to the Department of Emergency Management rather than to the City Treasurer. (Department of Emergency Management)
03/09/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

2. 100207 **[Accept and Expend Grant - Homeless Health and Wellness Training - \$108,600]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$108,600 from the San Francisco Community Clinic Consortium, to assist with a project entitled "Homeless Health and Wellness Training" for the period of March 27, 2009, through March 26, 2011.
Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

3. 100023 **[Requiring that Census Workers be Allowed Access to Residential Hotels to Engage in Census Activities]**
Sponsors: Mirkarimi; Mar and Campos
Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to add a new goal to the Uniform Visitor Policy and any Supplemental Visitor Policies to ensure that census workers engaged in census activities are allowed access to Residential Hotels, and requesting the Rent Board to amend the Uniform Visitor Policy to incorporate this addition.
03/09/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present. Supervisors Maxwell, Mar, Chiu

4. 091113 **[Seismic Strengthening of Soft-Story, Wood-Frame Buildings]**
Sponsors: Mayor; Campos
Ordinance finding a compelling public policy basis for expediting the processing and review of permits for voluntary seismic retrofit upgrades of soft-story, wood-frame buildings and amending the Planning Code, Building Code, Fire Code, and Public Works Code to waive permit processing fees for the proportionate share of work related to such seismic retrofit upgrades; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1.

(Economic Impact.)

11/10/2009; SUBSTITUTED.

03/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 091406 **[Street Encroachment at 1 Webster Street]**
Sponsor: Dufty
Ordinance granting revocable permission to Cross Cultural Family Center, Inc., to occupy a portion of the public right-of-way to construct and maintain a fenced outdoor play space with a trellised entry, a seating area and stroller parking on the west side of Webster Street between Duboce Avenue and Hermann Street, for a new child development center at 1 Webster Street (Block No. 0874, Lot No. 014); waiving the annual right-of-way occupancy assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

03/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100029 **[Acceptance of Sewer Main and Reissuance of Encroachment Permit for Poppy Lane]**
Sponsor: Dufty
Ordinance accepting an irrevocable offer for a sewer main; dedicating said improvements for public use; accepting a sewer main on Poppy Lane for maintenance and liability purposes; rescinding Resolution No. 493-00 in order to modify and reissue the major encroachment permit for 101 Poppy Lane in accordance with this Ordinance; accepting Department of Public Works Order No. 178,477; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the eight priority policies of City Planning Code section 101.1; and authorizing official acts in connection with this Ordinance. (Public Works Department)

03/09/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee*Present: Supervisors Campos, Mar***7. 100068 [Settlement of Lawsuit - Marjorie Flores - \$57,500]**

Ordinance authorizing settlement of the lawsuit filed by Marjorie Flores against the City and County of San Francisco for \$57,500; the lawsuit was filed on April 23, 2009, in San Francisco Superior Court, Case No. 09-487666, entitled Flores v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 100069 [Settlement of Lawsuit - Yee Mei Hung - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by Yee Mei Hung against the City and County of San Francisco and Thomas Mann Chu for \$50,000; the lawsuit was filed on February 3, 2009, in San Francisco Superior Court, Case No. 484-637; entitled Yee Mei Hung v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 100085 [Settlement of Unlitigated Claim - Patricia Geary - \$80,000]

Resolution approving the settlement of the unlitigated claim filed by Patricia Geary against the City and County of San Francisco for \$80,000; claim was filed on September 16, 2009. (City Attorney)

Question: Shall this Resolution be ADOPTED?

10. 100118 [Settlement of Claim - Elisa Gill - \$50,000]

Resolution approving the settlement of Equal Employment and Opportunity Commission Charge No. 550-2009-00090, filed by Elisa Gill on October 28, 2008, against the San Francisco Public Utilities Commission, for \$50,000. (City Attorney)

Question: Shall this Resolution be ADOPTED?

11. 100166 [Settlement of Unlitigated Claim - Larkfield, Inc. - \$49,500]

Resolution approving the settlement of the unlitigated claim filed by Larkfield, Inc., against the City and County San Francisco for \$49,500; claim was filed on September 2, 2009.

Question: Shall this Resolution be ADOPTED?

12. 100193 [Appointment, Sunshine Ordinance Task Force - Bruce Wolfe]

Motion appointing Bruce Wolfe, term ending April 27, 2010, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

13. 100194 **[Appointments, Eastern Neighborhood Citizens Advisory Committee - Cynthia Scully and Matthias Mormino]**
Motion appointing Cynthia Scully, term ending October 19, 2013, and Matthias Mormino, term ending October 19, 2011, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

14. 100195 **[Appointment, Children and Families First Commission - Twila Brown]**
Motion appointing Twila Brown, for an indefinite term, to the Children and Families First Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

15. 100196 **[Appointments, Sweatfree Procurement Advisory Group - Jason Oringer and Sarah Church]**
Motion appointing Jason Oringer and Sarah Church, terms ending December 17, 2011, to the Sweatfree Procurement Advisory Group. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

16. 100039 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units that are Subjected to Foreclosure]

Sponsors: Avalos; Campos, Mirkarimi and Mar

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.2 and adding new Section 37.9D to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979), when those units are subjected to foreclosure; and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

01/12/2010; AMENDED. Duplicated, see File No. 090583.

01/12/2010; CONTINUED AS AMENDED ON FIRST READING.

02/09/2010; CONTINUED ON FIRST READING.

02/23/2010; CONTINUED ON FIRST READING.

03/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

03/02/2010; CONTINUED AS AMENDED ON FIRST READING.

03/09/2010; AMENDED.

03/09/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

17. 091344 [Redevelopment Agency Bond Authorization - \$28,000,000]

Sponsors: Mayor; Avalos

Resolution approving the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed \$28,000,000 to finance a portion of redevelopment activities described in the approved Budget as amended for FY2009-2010 of which additional tax increment will be needed in FY2010-2011 for such financing thereof.

03/02/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

18. 100160 [Appropriating \$400,000 of Revenues From the Little Hollywood Property Exchange to Fund Park and Open Space Planning in the City Planning Commission for FY2009-2010]
Sponsor: Maxwell
Ordinance appropriating \$400,000 of revenues from the transfer of a 50-foot by 628-foot strip of Channel Street on the southwest side of 7th Street owned by the City and County of San Francisco, in exchange for 35,250 square feet of land at the southwest corner of Tocoloma and Lathrop Avenues owned by Norcal Waste Systems, Inc. for park and open space planning in the Showplace Square/Potrero Hill Plan Area of the Eastern Neighborhoods Program in the City Planning Commission, the Recreation and Park Department, and the Department of Public Works for FY2009-2010.

03/09/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

19. 091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach and Chinatown]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811 and 812 to require a conditional use to install a garage in an existing residential structure in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require a conditional use to install a garage in an existing residential structure; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Polk Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require a conditional use to install a garage in an existing residential structure; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

02/23/2010; CONTINUED ON FINAL PASSAGE.

03/09/2010; AMENDED.

03/09/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

20. 091443 **[Prohibiting Smoking in Enclosed Areas, Certain Unenclosed Areas, and Sports Stadiums]**
Sponsors: Mar; Avalos
Ordinance amending Articles 19F and 19I of the San Francisco Health Code by amending Sections 1009.20-1009.23, 1009.25, and 1009.81; adding Sections 1009.26, 1009.27, and 1009.29-1009.32; and repealing Section 1009.24, to prohibit smoking in: 1) business establishments and bars regardless of whether owner-operated; 2) common areas of multi-unit housing complexes; 3) tourist lodging facilities; 4) tobacco shops; 5) charity bingo games; 6) unenclosed dining areas of restaurants; 7) service waiting areas; 8) areas outside entrances, exits and operable windows and vents of all buildings except at the curb of the nearest street, sidewalk or alley; 9) farmers markets; and 10) vehicles owned by the City and County of San Francisco; establishing obligations for property owners and managers to prevent smoking in prohibited areas; adding administrative procedures and penalties; repealing criminal penalties; adding provisions for cost recovery and liens; and adding Administrative Code Section 10.100-193, to establish a new Public Health Environmental Health Code Compliance Fund.
- 03/02/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 03/02/2010; CONTINUED AS AMENDED ON FIRST READING.
- 03/09/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
- 03/09/2010; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

21. 100044 **[Repealing Various Municipal Transportation Agency Special Funds; Appropriating \$70,687.]**
Sponsor: Chiu
Ordinance amending Chapter 8 and Chapter 10, Article XIII, of the Administrative Code by repealing sections 8.29 (Municipal Railway Video Production Fund), 10.100-155 (Municipal Transportation Capital Reserve Fund), 10.100-157 (Municipal Transportation Improvement Fund), 10.100-159 (Municipal Transportation Information Fund), 10.100-162 (Municipal Transportation Operators Lounge Facilities Fund), and 10.100-164 (Municipal Transportation Para Transit Fund) and appropriating \$70,687 from the Municipal Transportation Information Fund to the Municipal Transportation Agency.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

22. 100098 **[Establishment of the Rainbow Honor Walk]**
Sponsor: Duffy
Resolution establishing the Rainbow Honor Walk on Castro Street between 19th Street and Market Street, on Market street between Castro Street and Octavia Street, on 19th Street between Diamond Street and Castro Street, on 18th Street between Collingwood Street and Hartford Street and initiating the process set forth in Public Works Code Sections 789 et seq. to provide for the creation of a program for and installation of commemorative plaques on the Rainbow Honor Walk.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

23. 100136 **[Floodplain Management Program]**
Sponsor: Elsbernd
Ordinance amending the floodplain management program established by Chapter 2A, Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; providing requirements for designating floodplains and for construction and development in floodplains.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

24. 100151 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2462 - 27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 16, 2009, Case No. 2009.0797E, that a project located at 2462 - 27th Avenue is exempt from environmental review under the California Environmental Quality Act (CEQA) as a Class 1(e) categorical exemption. The proposal would add a third floor and rear extension to the existing family home located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District, in Assessor's Block No. 2399, Lot No. 026. (District 4) (Appellant: Stephen M. Williams on behalf of Sunset Parkside Education and Action Committee (SPEAK)).

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

25. 100152 [Affirming the Determination of Exemption Issued for 2462-27th Avenue]
Motion adopting findings related to affirming the determination by the Planning Department that the project located at 2462-27th Avenue is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

26. 100153 [Reversing the Determination of Exemption Issued for the 2462–27th Avenue Project]

Motion reversing the determination by the Planning Department that the project located at 2462-27th Avenue is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. 100154 [Preparation of Findings Related to the Determination of Exemption Issued for 2462–27th Avenue Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of determination of exemption by the Planning Department that the project located at 2462-27th Avenue is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

(Pending approval of File No. 100283.)

28. 100284 **[Closed Session - Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]**
Sponsor: Chiu
Motion that the Board of Supervisors convene in closed session on March 16, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).

Question: Shall this Motion be APPROVED?

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 29 through 38

- 29. 100283 [Closed Session - Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]**

Sponsor: Chiu

Motion that the Board of Supervisors convene in closed session on March 16, 2010, with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

- 30. 100274 [Commemorating the 75th Anniversary of the Works Progress Administration]**

Sponsors: Mar; Avalos

Resolution commemorating the 75th anniversary of the Works Progress Administration on April 10, 2010.

03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 31. 100275 [Supporting Senate Bill 220 for Health Insurance Coverage and Smoking Cessation]**

Sponsor: Mar

Resolution Supporting Senate Bill 220 for Health Insurance Coverage and Smoking Cessation.

03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 32. 100276 [Saluting the Alice Fong Yu Chinese Immersion Alternative School Exchange Program]**

Sponsor: Mar

Resolution Saluting the Exchange Program between the Experimental High School Attached to Beijing Normal University and the Alice Fong Yu Chinese Immersion Alternative School in San Francisco.

03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 100278 **[Supporting California Senate Bill 1225 Regarding Child Care Facilities]**
Sponsors: Avalos; Dufty
Resolution supporting Senate Bill 1225 which would extend until 2016 the subsidy program that allows San Francisco child care facilities to serve children from low-income families.
- 03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
34. 100279 **[Accept and Expend Gift – Recreation and Park Department – \$15,000]**
Sponsor: Chu
Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a gift in the amount of \$15,000 to cover the staff overtime cost associated with the August 4th and 5th 2009 Maccabi Games volunteer event.
- 03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. 100280 **[Urging the Governor of California to Approve the Transit Assistance Funding Package]**
Sponsors: Mayor; Chiu, Dufty, Avalos, Elsbernd, Mirkarimi, Mar, Maxwell, Campos and Chu
Resolution urging the Governor of California to sign the transit assistance funding package as approved by the California State Legislature on March 4, 2010.
- 03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
36. 100281 **[Declaring March 23, 2010, as Gordon Park Li Day]**
Sponsor: Dufty
Resolution congratulating Mr. Gordon Park Li, on his outstanding career and thanking him for his exceptional service to the City of County of San Francisco over the past 37 years and declaring March 23, 2010, as Gordon Park Li Day in the City and County of San Francisco.
- 03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. 100282 **[Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]**
Sponsor: Mirkarimi
Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers".
- 03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

38. 100258 [Final Map 5649: 445 – 701 Wawona Street]

Motion approving Final Map 5649, a Three Lot Subdivision Project, located at 445 - 701 Wawona Street being a subdivision of Lot 093 in Assessors Block No. 2540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

03/05/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

39. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCE

Proposed ordinance received from March 2, 2010, to March 8, 2010, for reference by President to appropriate committee on March 16, 2010.

100302 [Additional Penalty for Underreporting Tax by Twenty-five Percent or More]
Sponsor: Mayor

Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more.

03/09/2010; ASSIGNED UNDER 30 DAY RULE to the Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 2, 2010, to March 8, 2010, for reference by President to appropriate committee on March 16, 2010.

100298 [Freeway Maintenance Agreement for the Interchange at Highway 101 and 280]

Resolution approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for the Interchange at Highway 101 and 280 and authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works Department)

03/01/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100299 [Freeway Maintenance Agreement for the Bay Bridge Anchorage Security Measures]

Resolution approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for the San Francisco-Oakland Bay Bridge Beale Street anchorage security measures and authorizing the Director of Public Works to execute said Agreement on behalf of the City.

03/01/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100301 [Approve Limit on Indemnification Liability of Prospective Consultant]

Resolution approving proposed limit on indemnification liability of prospective construction management consultant for the proposed Calaveras Dam Replacement Project, pursuant to Administrative Code Section 6.42(C). (Public Utilities Commission)

03/08/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100300 [Petitions and Communications]

Petitions and Communications received from March 2, 2010, through March 8, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 16, 2010.

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from March 5, 2010, through March 7, 2010. Supervisor Sean Elsbernd will serve as Acting Mayor. (1)

From Susan White, submitting support for proposed smoking provision exempting "semi enclosed" smoking rooms. File No. 091443 (2)

From Office of the Controller, submitting an annual report on impact fees for the Market and Octavia Community Improvement Fund for FY2008-2009. (3)

From concerned citizens, urging opposition to public power in San Francisco. 33 letters (4)

From concerned citizens, submitting support for public power in San Francisco. 4 letters (5)

From Dick Morten, regarding the Community Choice Aggregation Program. (6)

From Office of the Controller, submitting the Controller's proposed financial policies. (7)

From Office of the Controller, submitting the Street and Sidewalk Maintenance report for the first half of FY2009-2010. (8)

From Office of the Controller, submitting the results of the follow-up review for an audit of the Sheriff's Inmate Welfare Fund. Copy: Each Supervisor (9)

From Marilyn Amini, regarding proposed amendment to pending Discretionary Review Reform Legislation. File No. 091020, Copy: Each Supervisor (10)

From Capital Planning Committee, regarding the proposed Capital Plan for FY2011-2020. (11)

From Citizen's General Obligation Bond Oversight Committee, submitting the 2009 annual report of the Citizen's General Obligation Bond Oversight Committee. (12)

From SF Labor Council, concerning proposed Charter Amendment sponsored by Supervisors Mar and Campos regarding reducing employer retirement benefit costs. File No. 100156, Copy: Each Supervisor (13)

From SF Labor Council, submitting support for proposed Charter Amendment sponsored by Supervisors Mar/Campos regarding reducing employer retirement benefit costs. File No. 100156 (14)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests for Hillary Ronen, Legislative Aide to Supervisor Campos, assuming. (15)

From Barbara Austin, urging the Board of Supervisors to return proposed legislation regarding Mandatory Discretionary Review to the Planning Commission for rewrite and review. File No. 091038, Copy: Land Use Committee Members and Clerk (16)

From Channing Moore, regarding the recent raids by ABC at several San Francisco bars. (17)

From T-Mobile, submitting notification letter for a cellular site at 10 Bernal Heights Boulevard. (18)

From State Public Utilities Commission, submitting notification that PG&E has filed an application for expedited authorization to provide summer 2010 rate relief for households with upper tier consumption. Copy: Each Supervisor (19)

From Peter Pierson, regarding proposed changes to the Nob Hill Masonic Auditorium. (20)

From Sandy Weil, regarding spraying pesticides over San Francisco as proposed by the State of California. 2 letters (21)

From concerned citizens, submitting support for proposed legislation concerning the Sit/Lie law. 2 letters (22)

From Ahimsa Sumchai, commenting that the San Francisco Fire Department has achieved a ten minute response time for all ten districts across the city for non-emergency calls. (23)

From Rael & Letson, regarding the final two-year average pension proposal and long-term salary growth assumption. Copy: Each Supervisor (24)

From Susanna Chau, urging the Board of Supervisors to help San Francisco win the bid for Google Fiber for Communities. (25)

From David Guldman, regarding the homeless men sleeping on Stevenson Street. (26)

From James Corrigan, regarding the San Francisco Fire Department. 2 letters (27)

From Julianna Agardi, requesting Care Not Cash and the Residential Hotel Unit Demolition and Rehabilitation Ordinance be repealed. (28)

From Eric Von Berg, regarding proposed legislation on Seismic Strengthening of Soft-Story, Wood-Frame Buildings. File No. 091113 (29)

From Arthur Evans, regarding the public hearing on the Sit/Lie law. (30)

From Department of Public Health, submitting the quarterly AIDS Surveillance Report for AIDS cases reported as of December 31, 2009. (31)

From Verizon Wireless, submitting notification letter for a cellular site at 1050 Sansome Street. (32)

From Municipal Transportation Agency, regarding the budget deficit and fare changes. Copy: Each Supervisor (33)

From James Miller, regarding smoking laws in San Francisco. (34)

From Rich Olen, submitting support for Police Chief Gascon. (35)

From George Wooding, submitting a letter from the West of Twin Peaks Central Council regarding Discretionary Review. File No. 091020 (36)

From Rachael Kagan, submitting the current issue of Straight Up, the neighborhood newsletter about the San Francisco General Hospital rebuild project. (37)

From Jason Barton, regarding proposed rent legislation. (38)

From Office of the Chief Administrator, submitting the proposed Capital Plan for FY2011-2020. Copy: Each Supervisor (39)

From U.S. Fish and Wildlife Service, submitting the Final Comprehensive Conservation Plan for the Farallon National Wildlife Refuge. (40)

ADJOURNMENT



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 23, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

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There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100044 **[Repealing Various Municipal Transportation Agency Special Funds; Appropriating \$70,687]**
Sponsor: Chiu
Ordinance amending Chapter 8 and Chapter 10, Article XIII, of the Administrative Code by repealing sections 8.29 (Municipal Railway Video Production Fund), 10.100-155 (Municipal Transportation Capital Reserve Fund), 10.100-157 (Municipal Transportation Improvement Fund), 10.100-159 (Municipal Transportation Information Fund), 10.100-162 (Municipal Transportation Operators Lounge Facilities Fund), and 10.100-164 (Municipal Transportation Para Transit Fund) and appropriating \$70,687 from the Municipal Transportation Information Fund to the Municipal Transportation Agency.

03/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
2. 100174 **[Approval of Mental Health Services Act Innovation Work Plan]**
Sponsor: Mirkarimi
Resolution authorizing adoption of the Mental Health Services Act Innovation Work Plan and modification of Contract No. 07-77338-000 to include this Plan in the agreement. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. 100175 **[Approval of Mental Health Services Act FY2010-2011 Annual Plan Update]**
Sponsor: Mirkarimi
Resolution authorizing adoption of the Mental Health Services Act FY2010-2011 Plan Update for the Community Services and Support, Prevention and Early Intervention, and Workforce Education and Training and modification of Contract No. 07-77338-000 to include this Annual Update in the agreement. (Public Health Department)
- Question: Shall this Resolution be ADOPTED?
4. 100176 **[Approval of a Lease with the Federal Express Corporation at San Francisco International Airport]**
Resolution approving and authorizing the execution of Lease No. 09-0280 with Federal Express Corporation for cargo warehouse and support office space to be occupied by Federal Express Corporation in Building 900 at San Francisco International Airport. (Airport Commission)
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 100136 **[Floodplain Management Program]**
Sponsor: Elsbernd
Ordinance amending the floodplain management program established by Chapter 2A, Article XX, Sections 2A.280 - 2A.285 to the San Francisco Administrative Code; providing requirements for designating floodplains and for construction and development in floodplains.
- 03/16/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

6. 100068 **[Settlement of Lawsuit - Marjorie Flores - \$57,500]**
Ordinance authorizing settlement of the lawsuit filed by Marjorie Flores against the City and County of San Francisco for \$57,500; the lawsuit was filed on April 23, 2009, in San Francisco Superior Court, Case No. 09-487666, entitled Flores v. City and County of San Francisco, et al. (City Attorney)
- 03/16/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

7. 100069 **[Settlement of Lawsuit - Yee Mei Hung - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by Yee Mei Hung against the City and County of San Francisco and Thomas Mann Chu for \$50,000; the lawsuit was filed on February 3, 2009, in San Francisco Superior Court, Case No. 484-637; entitled Yee Mei Hung v. City and County of San Francisco, et al. (City Attorney)

03/16/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

8. 091344 **[Redevelopment Agency Bond Authorization - \$28,000,000]**
Sponsors: Mayor; Avalos
Resolution approving the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed \$28,000,000 to finance a portion of redevelopment activities described in the approved Budget as amended for FY2009-2010 of which additional tax increment will be needed in FY2010-2011 for such financing thereof.

03/02/2010; CONTINUED.

03/16/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. 100228 **[Redevelopment Agency Budget FY2009-2010]**
Sponsor: Avalos
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2009-2010 by increasing the Agency's tax increment bond proceeds by \$28,000,000 and authorizing expenditures in an amount not to exceed \$28,800,000 for payment to the Supplemental Educational Revenue Augmentation Fund.
- Question: Shall this Resolution be ADOPTED?**
10. 100045 **[Increasing Real Estate Recordation Fee]**
Sponsor: Chiu
Ordinance amending Section 8.24-5 of the Administrative Code to increase the recordation fee to \$3.00 from \$2.00 for recording real estate instruments, and authorizing the Controller to adjust the fee upon notice from the District Attorney, to become operative on its effective date or July 1, 2009, whichever is later, and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. 100080 **[Repealing the Department of Technology Cash Revolving Fund]**
Ordinance repealing Article XV, Section 10.143 of the San Francisco Administrative Code which established a cash revolving fund for the Department of Technology. (Department of Technology)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. 100208 **[Accept and Expend Grant - American Recovery and Reinvestment Act and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$750,635]**
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$750,635 from the Federal Department of Energy's Solar America Initiative to remove barriers to the deployment of solar technologies in San Francisco by addressing the lack of financing options for solar power installations and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

13. 100232 **[Accept and Expend Grant – Supported Employment Program and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$166,981.50]**
Sponsor: Mirkarimi
Ordinance authorizing the Office of the Public Defender to retroactively accept and expend a grant in the amount of \$166,981.50 from the Metta Fund Foundation to implement a Supported Employment Program to assist Public Defender clients with mental illness in securing competitive employment, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect addition of one (1) grant-funded position (0.25 FTE) in Class 2910 Social Worker at the Office of the Public Defender.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
14. 100168 **[Wastewater Revenue Bonds Issuance and Sale - Not to Exceed \$282,400,000]**
Sponsor: Dufty
Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.
- (Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 100169 **[Wastewater Revenue Bonds Issuance - Not to Exceed \$282,400,000]**
Sponsor: Dufty
Resolution approving the issuance of not to exceed \$282,400,000 in aggregate principal amount of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters. (Public Utilities Commission)
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
16. 100177 **[Real Property Lease Amendment - One Market Plaza]**
Resolution approving, retroactively, a lease at One Market Plaza, for the Department of Emergency Management under Administrative Code Section 23.27. (Real Estate Department)
- Question: Shall this Resolution be ADOPTED?
17. 100263 **[Authorizing the Filing of an Application for Section 190 Grade Separation Grant Funds - \$5,000,000]**
Sponsor: Elsbernd
Resolution authorizing the Department of Public Works to file an application seeking state Section 190 Grade Separation funds, in the amount of \$5,000,000, from the California Department of Transportation for the reconstruction of the Jerrold Avenue railroad bridge grade separation and to enter into a Memorandum of Understanding to pass through the funds to the Peninsula Corridor Joint Powers Board.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

18. 091475 [General Plan Amendment - Market and Octavia Area Plan]

Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 091209 [Interim Zoning Controls for the Bayshore Corridor]

Sponsors: Maxwell; Campos and Dufty

Resolution imposing interim zoning controls to require Conditional Use authorization for all projects that involve: (1) establishment of a formula retail use; (2) new retail uses that are 25,000 gross square feet or larger; and/or (3) a lot merger that creates a new lot that is 25,000 square feet or larger, for a period of eighteen (18) months, on all properties on lots fronting Bayshore Boulevard, from Jerrold Avenue to the I-280 Freeway; the west side of Loomis Street, from Jerrold Avenue to the I-280 Freeway; Oakdale Avenue from Loomis Street to Bayshore Boulevard; Marengo Street from Bayshore Boulevard to Waterloo Street; and the west side of Boutwell Street from Industrial Street to the I-280 Freeway; specifying criteria to be applied in the evaluation of a conditional use permit application, in addition to the criteria listed in Section 303 of the Planning Code; and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Resolution be ADOPTED?

20. 100266 [Urging the Department of Technology to Respond to Google's Request for Information with a Proposal that Allows the City to Maintain Control Over Fiber Networks]

Sponsor: Chiu

Resolution urging the City and County of San Francisco's Department of Technology to respond to Google, Inc.'s Request for Information with a proposal to build a fiber network in San Francisco that is consistent with the City's core value of maintaining control over fiber infrastructure deployed in the City.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Dufty

21. 100112 [Dispatch Services in the Program for Additional Police Department Services]
Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4 and 10B.5 including dispatch services provided by the Department of Emergency Management in the program for additional Police Department services. (Department of Emergency Management)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100043 [Potential Health Impacts of Wireless Facilities]
Sponsors: Campos; Avalos, Chu and Mar
Resolution urging the U.S. Environmental Protection Agency to study the health impacts of wireless facilities and, if appropriate, to establish a safe level of exposure to radiofrequency radiation emissions; urging the Federal Communications Commission to update its existing standards; and urging the California Congressional Delegation to introduce federal legislation to repeal limitations on state and local authority imposed by the Telecommunications Act of 1996.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 23 through 29

23. 100282 [Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]
Sponsors: Mirkarimi; Maxwell, Mar, Avalos and Campos
Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers".

03/09/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

03/16/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

24. 100343 [Accept and Expend Grant - Clinical and Transnational Science Institute - \$56,019]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$56,019 from the Public Health Foundation Enterprises, Inc. to assist with a project entitled "Clinical and Transnational Science Institute" for the period of September 29, 2009, through September 28, 2011.

03/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 100346 [Supporting Reauthorization of San Francisco Unified School District's Mello-Roos Community Facilities District on the June 8, 2010, Ballot]
Sponsor: Chiu
Resolution supporting the San Francisco Unified School District's proposal to reauthorize its Mello-Roos Community Facilities District Assessment on the June 8, 2010, Ballot.

03/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

26. 100347 **[Recognizing the Bay Area Air Quality Management District]**
Sponsor: Mar
Resolution recognizing the Bay Area Air Quality Management for their support of San Francisco's efforts to promote environmentally preferable garment cleaning technologies among local dry cleaners.
- 03/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 100348 **[Accept and Expend Grant - Youth Stewardship Program - \$20,000]**
Sponsor: Avalos
Resolution authorizing the Recreation and Park Department to retroactively accept and expend a grant in the amount of \$20,000 to support the San Francisco Recreation and Park Department Youth Stewardship Program for FY2009-2010.
- 03/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 100344 **[Committee of the Whole – Hearing on the Submission of a Design-Build Application to the California State Public Works Board]**
Sponsor: Maxwell
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the Redevelopment Agency submission of a Design-Build application to the California State Public Works Board.
- 03/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
29. 100345 **[Committee of the Whole – Hearing on the Expenditure of Tax Increment Funds for Certain Streetscape Improvements in the Bayview Hunter's Point Redevelopment Project Area]**
Sponsor: Maxwell
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on March 30, 2010, at 3:00 p.m. to hold a public hearing on the expenditure of tax increment funds, by the Redevelopment Agency, for a set of City owned streetscape improvements of the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area.
- 03/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

30. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from March 9, 2010, to March 15, 2010, for reference by President to appropriate committee on March 23, 2010.

- 100310 [Airport Concession - Terminal 2 Book Store Lease with Books, Inc.]**
Resolution approving the Terminal 2 Book Store Lease between Books, Inc. (Compass Books, Inc.) and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/2010; RECEIVED AND ASSIGNED to the Board of Supervisors.

- 100311 [Airport Concession – Amendment to Paster Retail/Duty Free Concession Lease No. 99-0035 with DFS Group, L.P.]**
Resolution approving Amendment No. 8 to the Post-Security Master Retail/Duty Free Concession Lease No. 99-0035 between DFS Group, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100312 [Airport Concession – Terminal 2 Gourmet Market and Wine Bar Lease with D-Lew Enterprise, LLC]**
Resolution approving a Terminal 2 Gourmet Market and Wine Bar Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100313 [Airport Concession – Terminal 2 Quick Serve Lease with BJ Annex, LLC]**
Resolution approving the Terminal 2 Quick Serve Lease, between BJ Annex, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 100314 [Airport Concession Terminal 2 Cocktail Lounge Lease with HBF Soto JV, LLC]**
Resolution approving the Terminal 2 Cocktail Lounge Lease between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 100315 [Airport Concession – Terminal 2 Specialty Store Lease with Charles Chocolates, Inc.]**
Resolution approving the Terminal 2 Specialty Store Lease between Charles Chocolates, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 100316 [Airport Concession – Terminal 2 Quick Serve Lease with Sankaku, Inc.]**
Resolution approving the Terminal 2 Quick Serve Lease between Sankaku, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 100317 [Airport Concession – Terminal 2 Sit-Down Restaurant Lease with D-Lew Enterprises, LLC]**
Resolution approving a Terminal 2 Sit-Down Restaurant Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 100318 [Airport Concession – Terminal 2 Bakery and Coffee Facilities Lease with Gotham Enterprises, LLC]**
Resolution approving a Terminal 2 Bakery and Coffee Facilities Lease between Gotham Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.
- 100319 [Airport Concession – Terminal 2 Quick Serve Lease with Andale Management Group, Inc.]**
Resolution approving the Terminal 2 Quick Serve Lease, between Andale Management Group, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100320 [Airport Concession – Terminal 2 Quick Serve Lease with HBF Soto JV, LLC]**
Resolution approving the Terminal 2 Quick Serve Lease, between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100321 [Airport Concession – Terminal 2 and 3 Electronics and Technology Stores Lease with Edge 1 Cellular, L.P.]**
Resolution approving the Electronics and Technology Stores in Terminal 2 and Terminal 3 Lease, between Edge 1 Cellular, L.P. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/2010; RECEIVED AND ASSIGNED to the Board of Supervisors.

- 100322 [Airport Concession – Terminal 2 Spa Lease with XpresSpa SF International, Inc.]**
Resolution approving the Terminal 2 Spa Lease between XpresSpa SF International, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/10/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

- 100325 [Approving Sixth Modification to Water Supply Contract]**
Resolution approving Sixth Modification to water supply contract (Contract No. EY-76-C-03-0269), between the City and County of San Francisco and the Department of Energy, pursuant to Charter Section 9.118. (Public Utilities Commission)

03/15/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100324 [Petitions and Communications]

Petitions and Communications received from March 9, 2010, through March 15, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 23, 2010.

From concerned citizens, submitting opposition to public power in San Francisco. 5 letters (1)

From Meghan Lyons, submitting support for MUNI reform. (2)

From James Corrigan, regarding the overtime costs for some City employees of the Fire Department. (3)

From Yolanda Owens, regarding ways to improve the air quality in San Francisco. (4)

From Aaron Goodman, regarding the 19th Avenue Corridor Study. (5)

From Kate Tompkins, submitting opposition to any public funds being appropriated to keep the LGBT Center open. (6)

From Department of Public Works, regarding the status of repairing potholes at various locations in District 5. (Reference No. 20100309-005) (7)

From Jeanette Franzone, regarding fee to non-residents of San Francisco who wish to visit the Botanical Gardens in Golden Gate Park. (8)

From Ellen Tsang, regarding an inspector's death and the illegal construction at 767 North Point Street. (9)

From Chamber of Commerce, submitting copy of letter sent to Governor Schwarzenegger urging support for the transportation funding package. (10)

From Office of the Mayor, submitting the reappointment of Luke O'Brien and Richard Ventura as members of the Small Business Commission. Copy: Rules Clerk (11)

From concerned citizens, submitting opposition to California Pacific Medical Center's current plan for St. Luke's Hospital and the new Cathedral Hill facility. 4 letters (12)

From Department of Elections, submitting reminder that the Department of Elections must print a disclaimer in the Voter Information Pamphlet before any proponent, opponent or rebuttal argument that is submitted by the Board of Supervisors or by one or more members of the Board of Supervisors for or against any measure. Copy: Each Supervisor (13)

From Office of the Mayor, submitting the reappointment of Dirk Beijen as a member of the Juvenile Probation Commission. Copy: Rules Clerk (14)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (15)

Jamie Cantwell - Annual

Rick Caldeira - Annual

Katy Tang - Annual

Dawn Duran - Annual

Alexander Volberding - Annual

Chris Daly - Annual

Carmen Chu - Annual

From Office of the Controller, submitting the Park Standards 6-Month Report for FY2009-2010. Copy: Each Supervisor (16)

From Ross Portugeis, submitting support for proposed legislation concerning the Sit/Lie law. (17)

From Jack Grant, expressing his concerns about a complete ban on outdoor smoking in San Francisco. File No. 091443 (18)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT The Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following resolution and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday March 30, 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to consider making findings under Health and Safety Code Section 33445 for the use of tax increment funds in an amount not to exceed \$2,351,000, 90% of which will be reimbursed with Federal Grant monies awarded by the U.S. Dept. of Commerce, Economic Development Administration ("EDA") - EDA Award No. 07-49-05755 - awarded to the San Francisco Redevelopment Agency specifically for the purpose of improvements to the Community Facility Parcel, "Lot D" of the Hunters Point Shipyard Redevelopment Project Area. These funds will be used for the installation and construction of Agency-owned improvements of a modular type building, meeting the minimum LEED Silver Certification standards.

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MAR 15 2010

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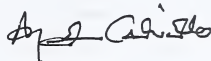
The purpose of said hearing is to hear all persons interested in the matter of the proposal of the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency") to use tax increment funds in an amount not to exceed \$2,351,000 for the installation and construction of an approximately 5,000 square foot, Agency-owned modular type building to serve as a demonstration project for a range of community-oriented uses, including public meeting space and a job training facility. 90% of the tax increment funds used will be reimbursed through an existing U.S. Dept. of Commerce, EDA grant awarded to the Agency specifically for the purpose of improvements to the Community Facilities Parcel "Lot D" of the Hunters Point Shipyard Redevelopment Project Area. The Project will meet the minimum requirements of the U.S. Green Building Council's Leadership in Energy and Environmental Design Silver Certification.

The Redevelopment Agency has prepared a report pursuant to Section 33679 of the Health and Safety Code. The report contains the following (1) an estimate of the amount of tax increment funds for the purpose of improvements to the Community Facilities Parcel "Lot D" of the Hunters Point Shipyard Redevelopment Area (2) a summary of the proposed improvements to be made to "Lot D" (3) the facts supporting the determinations required to be made by the legislative body pursuant to Section 33445; and (4) the redevelopment purpose for which such taxes are being used to pay for the construction of a modular type building on "Lot "D" at the Hunters Point Shipyard. Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the report at the following address: San Francisco Redevelopment Agency, One South Van Ness Avenue, 5th Floor, San Francisco, California, 94103. Questions concerning the project may be addressed to Thor Kaslofsky, San Francisco Redevelopment Agency (415) 749-2464.

An action to challenge the finding pursuant to Health and Safety Code Section 33445 shall be filed and served within 60 days after the date of resolution containing the findings.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public records in this matter, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Agenda information relating to this matter will be available for public review, at the Office of the Clerk of the Board, on Thursday, March 30, 2010, pending introduction on Tuesday March 23, 2010.



Angela Calvillo
Clerk of the Board

DATED: March 15, 2010
PUBLISHED: March 15, 2010 and March 22, 2010

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, March 30, 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to consider making findings under Health and Safety Code Section 33445 for the use of tax increment funds in an amount not exceed \$600,000 for the completion of construction documents, capital improvements costs and construction costs for City owned streetscape improvements on the 1700 block of Newcomb Avenue in the Bayview Hunters Point Redevelopment Project Area.

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The purpose of said hearing is to hear all persons interested in the matter of the proposal of the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency") to use tax increment funds to enter into a Letter Agreement with the Department of Public Works in an amount not to exceed \$600,000 for completion of construction documents, capital improvements costs and construction costs for the Newcomb Avenue Model Block Streetscape improvements to the 1700 block of Newcomb Avenue.

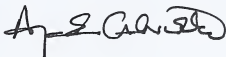
The Redevelopment Agency has prepared a report pursuant to Section 33679 of the Health and Safety Code. The report contains the following (1) an estimate of the amount of taxes proposed to be used to pay for the Newcomb Avenue Streetscape improvements (2) a summary of the proposed Letter Agreement (3) the facts supporting the determinations required to be made by the legislative body pursuant to Section 33445; and (4) the redevelopment purpose for which such taxes are being used to pay for the construction of City owned streetscape improvements on the 1700 block of Newcomb Avenue. Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the report at the following address: San Francisco Redevelopment Agency, One South Van Ness Avenue, 5th Floor, San Francisco, California, 94103. Questions concerning

the project may be addressed to Lila Hussain, San Francisco Redevelopment Agency (415) 749-2431.

An action to challenge the finding pursuant to Health and Safety Code Section 33445 shall be filed and served within 60 days after the date of resolution containing the findings.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public records in this matter, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Agenda information relating to this matter will be available for public review, at the Office of the Clerk of the Board, on Thursday, March 25, 2010, after pending introduction on Tuesday, March 23, 2010.



Angela Calvillo
Clerk of the Board

DATED: March 13, 2010
PUBLISHED: March 13, 2010 and March 20, 2010





BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 30, 2010 - 2:00 PM

Regular Meeting

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DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, S, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 2, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 24

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. **100045 [Increasing Real Estate Recordation Fee]**
 Sponsor: Chiu
 Ordinance amending Section 8.24-5 of the Administrative Code to increase the recordation fee to \$3.00 from \$2.00 for recording real estate instruments, and authorizing the Controller to adjust the fee upon notice from the District Attorney, to become operative on its effective date or July 1, 2009, whichever is later, and making environmental findings.

 03/23/2010; PASSED, ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

2. **100080 [Repealing the Department of Technology Cash Revolving Fund]**
 Ordinance repealing Article XV, Section 10.143 of the San Francisco Administrative Code which established a cash revolving fund for the Department of Technology. (Department of Technology)

 03/23/2010; PASSED, ON FIRST READING.

 Question: Shall this Ordinance be FINALLY PASSED?

3. 100168 **[Wastewater Revenue Bonds Issuance and Sale - Not to Exceed \$282,400,000]**
Sponsor: Dufty

Ordinance approving the issuance and sale of wastewater revenue bonds by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100208 **[Accept and Expend Grant - American Recovery and Reinvestment Act and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$750,635]**

Sponsors: Mayor; Dufty

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$750,635 from the Federal Department of Energy's Solar America Initiative to remove barriers to the deployment of solar technologies in San Francisco by addressing the lack of financing options for solar power installations and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100232 **[Accept and Expend Grant – Supported Employment Program and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$166,981.50]**

Sponsor: Mirkarimi

Ordinance authorizing the Office of the Public Defender to retroactively accept and expend a grant in the amount of \$166,981.50 from the Metta Fund Foundation to implement a Supported Employment Program to assist Public Defender clients with mental illness in securing competitive employment, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY2009-2010) to reflect addition of one (1) grant-funded position (0.25 FTE) in Class 2910 Social Worker at the Office of the Public Defender.

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100183 **[Lease with the U.S. Government for Office Space for the U.S. Drug Enforcement Administration at the Airport]**

Resolution approving and authorizing the execution of Lease No. 10-0015 with the U.S. Government for office space to be occupied by the U.S. Drug Enforcement Administration, a Federal agency, in Terminal 3 at San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

7. 100271 [Accept and Expend Grant - U.S. Department of Justice 2009 Community Oriented Policing Services Technology Initiative for the Expansion of a Gunshot Location System Project - \$1,000,000]
Sponsor: Mayor
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$1,000,000 from the U.S. Department of Justice Office of Community Oriented Policing Services for expansion of a gunshot location system project.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

8. 100229 [Accept and Expend Grant – Ogden Terrace Community Garden Landscape - \$88,000]
Sponsor: Campos
Resolution authorizing the Department of Recreation and Parks to retroactively accept and expend a gift valued at \$88,000 from the San Francisco Conservation Corps, to replace landscape retaining walls and steps at Ogden Terrace Community Garden.
9. 100230 [Accept and Expend Grant - San Francisco Vaccine and Prevention Unit - \$47,759]
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$47,759 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "San Francisco Vaccine and Prevention Unit" for the period of January 1, 2010, through August 31, 2011.
10. 100336 [Accept and Expend Grant – American Recovery and Reinvestment Act of 2009 Department of Energy Weatherization Assistance Program – \$2,581,152]
Sponsor: Mayor
Resolution authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend FY2009-2010 American Recovery and Reinvestment Act Weatherization Assistance Program funds from the U.S. Department of Energy, disbursed by the State of California's Department of Community Services and Development, in the amount of \$2,581,152.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

11. 091475 [General Plan Amendment - Market and Octavia Area Plan]

Sponsor: Mirkarimi

Ordinance amending the Market and Octavia Area Plan of the General Plan (an Area generally described as approximately one square mile surrounding the Market Street and Octavia Boulevard intersection) to amend the historic resource provisions of the Plan to integrate the results of the Historic Resource Survey by removing language calling for the Area Plan Level Survey, calling out new historic districts, replacing interim procedures for the review of projects that may affect historic resources with permanent review procedures for projects in historic districts; and adding a new design principle; amending the provisions related to alleys to include terminology consistent with other Area Plans; and making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Duffy

12. 100112 [Dispatch Services in the Program for Additional Police Department Services]

Ordinance amending San Francisco Administrative Code Sections 10B.1, 10B.2, 10B.3, 10B.4, and 10B.5, including dispatch services provided by the Department of Emergency Management, in the program for additional Police Department services. (Department of Emergency Management)

03/23/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

13. 100178 [Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]

Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 100179 **[Settlement of Lawsuit - Vincente V. Vista - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 100180 **[Settlement of Lawsuit - Thomas Barnes - \$135,000]**
Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 100181 **[Settlement of Lawsuit - Elbert Harris - \$100,000]**
Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
17. 100182 **[Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]**
Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
18. 100249 **[Settlement of Unlitigated Claim – Marlon Miranda - \$75,000]**
Resolution approving the settlement of the unlitigated claim filed by Marlon Miranda against the City and County of San Francisco for \$75,000; claim was filed on June 18, 2009. (City Attorney)
- Question: Shall this Resolution be ADOPTED?
19. 100250 **[Settlement of Unlitigated Claim – Thelma Jefferson - \$200,000]**
Resolution approving the settlement of the unlitigated claim filed by Thelma Jefferson against the City and County of San Francisco for \$200,000; claim was filed on September 28, 2009. (City Attorney)
- Question: Shall this Resolution be ADOPTED?

20. 100259 [Appointments, Pedestrian Safety Advisory Committee - Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich]
Motion appointing Catherine Liddell, Pi Ra, Richard Rothman, Mari Hunter, Howard Strassner, Dahianna Lopez and Paul Supawanich, terms ending March 28, 2011, and March 28, 2012, to the Pedestrian Safety Advisory Committee, residency requirement waived. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?
21. 100260 [Appointments, In-Home Supportive Services Public Authority - Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson]
Motion appointing Patricia Webb, Elva Hernandez, Kelly Dearman, James Illig, Tatiana Kostanian and Ethel Richardson, terms ending March 1, 2013, to the In-Home Supportive Services Public Authority. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?
22. 100261 [Appointment, Urban Forestry Council - Rose Hillson]
Motion appointing Rose Hillson, term ending November 18, 2010, to the Urban Forestry Council. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?
23. 100262 [Removal of Tommy Escarcega from the Reentry Council]
Sponsor: Campos
Motion removing Tommy Escarcega from the Reentry Council.
- Question: Shall this Motion be APPROVED?
24. 100293 [Appointments, Shelter Monitoring Committee - Mary Howe and Robert Weber]
Motion appointing Mary Howe and Robert Weber, terms ending November 23, 2010, to the Shelter Monitoring Committee, residency requirement waived. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

25. 100263 [Authorizing the Filing of an Application for Section 190 Grade Separation Grant Funds - \$5,000,000]
Sponsor: Elsbernd
Resolution authorizing the Department of Public Works to file an application seeking state Section 190 Grade Separation funds, in the amount of \$5,000,000 from the California Department of Transportation for the reconstruction of the Jerrold Avenue railroad bridge grade separation and to enter into a Memorandum of Understanding to pass through the funds to the Peninsula Corridor Joint Powers Board.

03/23/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

26. 100206 [Appropriating \$157,500 of General Fund Reserve for a Loan to the Community Center Project of San Francisco in the City Administrator's Budget for FY2009-2010]
Sponsors: Dufty; Campos
Ordinance appropriating \$157,500 of General Fund Reserve for a loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, in the City Administrator's Budget for FY2009-2010.

(Fiscal Impact.)

(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 100133 [Loan to the Community Center Project of San Francisco, Inc., at 1800 Market Street - \$157,500]
Sponsors: Duffy; Campos
Resolution authorizing the City to make a \$157,500 loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, located at 1800 Market Street, and authorizing actions in the furtherance of this Resolution.

(Fiscal Impact.)
(Supervisor Elsbernd dissented in Committee.)

Question: Shall this Resolution be ADOPTED?
28. 100277 [Reallocation of Grant - Capital Projects in Golden Gate Park - \$2,067,663]
Sponsor: Mar
Resolution authorizing the reallocation of \$2,067,663 in Proposition 40 grant funds among two capital projects in Golden Gate Park.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

29. 091444 [Creating an Energy Efficiency Steering Committee]
Sponsors: Mar; Campos
Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: (1) create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; (2) provide for the Committee's membership, organization, and duties; and (3) set a sunset date for the Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pursuant to File No. 100345, approved on March 23, 2010.)

30. 100375 **[Committee of the Whole - Making Certain Findings for the Use of Tax Increment for the Newcomb Avenue Model Block Streetscape Improvements Pursuant to Health and Safety Code Section 33445]**
Hearing of persons interested in or objecting to proposed Resolution making certain findings pursuant to Health and Safety Code Section 33445 for the use of tax increment funds for the completion of construction documents, capital improvement costs and construction costs for the Newcomb Avenue Model Block Streetscape Improvements on the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

31. 100374 **[Making Certain Findings for the Use of Tax Increment for the Newcomb Avenue Model Block Streetscape Improvements Pursuant to Health and Safety Code Section 33445]**
Sponsor: Maxwell
Resolution making certain findings pursuant to Health and Safety Code Section 33445 for the use of tax increment funds for the completion of construction documents, capital improvement costs and construction costs for the Newcomb Avenue Model Block Streetscape Improvements on the 1700 block of Newcomb Avenue in the Bayview Hunter's Point Redevelopment Project Area.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pursuant to File No. 100344, approved on March 23, 2010.)

32. 100380 [Committee of the Whole - Approving Submission of a Design-Build Application to the California State Public Works Board Under California Public Contract Code Section 20688.6]
Hearing of persons interested in or objecting to proposed Resolution making findings and authorizing the submission of a design-build application to the California State Public Works Board to permit construction of a Community Facilities Demonstration Project at Hunters Point Shipyard Redevelopment Project Area. (Clerk of the Board)
- Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

33. 100334 [Approving Submission of a Design-Build Application to the California State Public Works Board Under California Public Contract Code Section 20688.6]
Sponsor: Maxwell
Resolution making findings and authorizing the submission of a design-build application to the California State Public Works Board to permit construction of a Community Facilities Demonstration Project at Hunters Point Shipyard Redevelopment Project Area.
- Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**COMMITTEE REPORTS**

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on March 29, 2010 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 30, 2010.

34. 091165 **[Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]**
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811, and 812, to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units; and Section 311 notice for a building of less than four units in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Mason Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways, or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure of four or more units without prior authorization by the Planning Commission; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

02/23/2010; CONTINUED ON FINAL PASSAGE.

03/09/2010; AMENDED.

03/09/2010; PASSED ON FIRST READING AS AMENDED.

03/16/2010; RE-REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 100282 **[Initiative Constitutional Amendment - Opposing Proposition 16, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers"]**
Sponsors: Mirkarimi; Maxwell, Mar, Avalos, Campos and Duffy
Resolution opposing Proposition 16, an Initiative Constitutional Amendment, the "New Two-Thirds Vote Requirement for Local Public Electricity Providers."

03/16/2010; CONTINUED.

03/23/2010; REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 36 through 39

36. 100376 [Congratulating Assemblymember Fiona Ma]
Sponsors: Mirkarimi; Chiu
Resolution congratulating Assemblymember Fiona Ma on her appointment as Speaker pro Tempore of the California State Assembly.

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
37. 100378 [Commending Speaker Nancy Pelosi for Her Work on Health Care Reform]
Sponsors: Mayor; Chiu, Maxwell, Alioto-Pier, Chu, Duffy, Mar, Elsbernd, Mirkarimi, Daly, Campos and Avalos
Resolution commending Speaker of the House of Representatives Nancy Pelosi for her courage as a champion for historic health care reform in the United States.

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 100379 [Supporting Senate Bill 4 Banning Smoking at State Parks and Beaches]
Sponsor: Mar
Resolution supporting Senate Bill 4 Banning Smoking at State Parks and Beaches.

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 100377 [Rejecting the San Francisco Municipal Transportation Agency's Proposed Fare Changes to Create New Premium Monthly MUNI Passes]
Sponsors: Mirkarimi; Chiu, Campos and Dufty
Motion rejecting the San Francisco Municipal Transportation Agency's proposed fare changes to create Premium Monthly San Francisco Municipal Railway Passes for express bus routes and cable cars.

03/23/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from March 16, 2010, to March 22, 2010, for reference by President to appropriate committee on March 30, 2010.

100349 [Lease of Real Property – 1390 Market Street]

Resolution authorizing the exercise of a five year option to extend the lease of approximately 9,397 square feet of space at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

03/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100350 [Authorizing the Sheriff's Department to amend its contract with ARAMARK Correctional Services, LLC (formally known as ARAMARK Correctional Services, Inc.) for Jail Food Services – Not to Exceed \$27,000,000]

Resolution authorizing the Sheriff's Department to enter into a Third Amendment to the Agreement between the City and County and ARAMARK Correctional Services, LLC (ARAMARK), to increase the contract amount from \$24,000,000 to an amount not to exceed \$27,000,000 and to extend the contract term to June 30, 2011. (Sheriff)

03/22/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100381 [Petitions and Communications]

Petitions and Communications received from March 16, 2010, through March 22, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 30, 2010.

From Office of Citizen Complaints, submitting the 2009 Annual Report. (1)

From Office of the Controller, submitting an audit report on Edgewood Center. Copy: Each Supervisor (2)

From Office of the Controller, submitting report concerning the cash handling audit of New South Parking at San Francisco International Airport. (3)

From Office of the Controller, submitting the financial audit report of the Statements of Net Assets and Statement of Changes in Net Assets Investment Pool held by the Office of the Treasurer and Tax Collector as of June 30, 2009. Copy: Each Supervisor (4)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (5)

Eric Mar - Annual
Cassandra Costello - Annual
Lin-Shao Chin - Annual
Sophie Maxwell - Annual
Frances Hsieh - Annual
Nicolas King - Leaving
Jamie Cantwell - Leaving

From Department of Public Health, submitting the Hazardous Waste Release Disclosure Form for March 2010. (6)

From Office of the Mayor, submitting the reappointment of Scott Kahn as a member of the Human Services Commission. Copy: Rules Clerk (7)

From Office of the Mayor, submitting the reappointment of Edward Chow as a member of the Health Commission, and the reappointment of Michael Nguyen and appointment of Lee Muson as members of the Library Commission. Copy: Rules Clerk (8)

From Hidalgo General Engineering, Inc., submitting copy of letter sent to the Human Rights Commission thanking them for standing for those companies who do not have the financial resources to fight for themselves and always aiming for a "fair and equitable" resolution. (9)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for Transtech of S.C., L.P. (10)

From Public Utilities Commission, regarding the local use and sale of combustion turbine power plants in San Francisco. File No. 090710, Copy: Supervisor Mirkarimi (11)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Mammal Hunting Regulations. (12)

From State Fish and Game Commission, submitting notice of proposed regulatory actions that the California tiger salamander warrants listing to threatened species status. (13)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relating to marine protected areas. (14)

From concerned citizens, submitting opposition to public power in San Francisco. 5 letters (15)

From Robin McCain, submitting support for public power in San Francisco. (16)

From SafetyBeltSafe U.S.A., regarding Safety Seat Check-up Week, April 11-17, 2010. (17)

From Western SoMa Citizens Planning Task Force, regarding the environmental analysis of the Western SoMa Community Plan. (18)

From James Raney, regarding the recently passed ban on sidewalk smoking in San Francisco. (19)

From T-Mobile, submitting notification letter for a cellular site at 470 Noor Avenue. (20)

From T-Mobile, submitting notification letter for a cellular site at 2270 Folsom Street. (21)

From SF Ocean Edge, concerning the San Francisco Tree Council's support for a full Environmental Impact Report for the Beach Chalet Soccer Fields. File No. 100053, Copy: City Operations and Neighborhood Services Committee Members and Clerk (22)

From James Keys, concerning the lay-off of psychiatrist Dr. Moranville at the Community Clinic Consortium. (23)

From Department of Public Health, submitting the Hazardous Waste Release Disclosure Form for February 2010. (24)

From concerned citizens, submitting opposition to closing the intersection of 24th and Noe Streets for a mini-park. 2 letters (25)

From Seth Saavedra, urging the Mayor and the Board of Supervisors to appropriate funds for full-time interim library service for the Park Branch Library while it is under renovation. (26)

From Ivan Pratt, regarding Elaine Zamora's run for Supervisor of District Six. (27)

From Scott Strohmeyer, regarding motorist harassment by the Police Department and the Department of Public Works. (28)

From Frank Kennedy, urging the Board of Supervisors to fund the 311 program in San Francisco. (29)

From Office of the Mayor, submitting the reappointment of Anita Friedman as a member of the Human Services Commission. (30)

From Sally Loveland, regarding MUNI service. (31)

From Paul Nisbett, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. (32)

From Katherine Johnson, submitting support for Sunday Streets. (33)

From Arthur Evans, submitting support for proposed legislation concerning the sit/lie law. File No. 100233, 2 letters (34)

From Brian Regan, submitting letter from the Wireless Infrastructure Association and the California Wireless Association regarding the health effects of wireless telecommunications facilities. (35)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 6, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 9, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100185 **[Airport Lease and Operating Agreement]**
Resolution approving the exercise of the fourth of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

2. 091165

[Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811, and 812, to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Mason Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure of four or more units without prior authorization by the Planning Commission; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

(Fiscal Impact.)

02/09/2010; PASSED ON FIRST READING.

02/23/2010; CONTINUED ON FINAL PASSAGE.

03/09/2010; AMENDED.

03/09/2010; PASSED ON FIRST READING AS AMENDED.

03/16/2010; RE-REFERRED to the Land Use and Economic Development Committee.

03/30/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100231 **[Accept and Expend Grant - Buena Vista Park Project, Phase II - \$115,025]**
Sponsor: Duffy
Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant for the Buena Vista Park Project, Phase II, in the amount of \$115,025 available under the Federal Land and Water Conservation Fund Program administered by the California Department of Parks and Recreation under the provisions of the Land and Water Conservation Fund Act of 1965.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

4. 091444 **[Creating an Energy Efficiency Steering Committee]**
Sponsors: Mar; Campos and Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: (1) create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; (2) provide for the Committee's membership, organization, and duties; and (3) set a sunset date for the Committee.
- 03/30/2010; PASSED, ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
- Question: Shall this Ordinance be FINALLY PASSED?
5. 100178 **[Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - \$25,750]**
Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for \$25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)
- 03/30/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?
6. 100179 **[Settlement of Lawsuit - Vincente V. Vista - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for \$35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)
- 03/30/2010; PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

7. 100180 [Settlement of Lawsuit - Thomas Barnes - \$135,000]
Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for \$135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)
03/30/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 100181 [Settlement of Lawsuit - Elbert Harris - \$100,000]
Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for \$100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)
03/30/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 100182 [Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]
Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)
03/30/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

10. 100206 [Appropriating \$157,500 of General Fund Reserve for a Loan to the Community Center Project of San Francisco in the City Administrator's Budget for FY2009-2010]
Sponsors: Duffy; Campos
Ordinance appropriating \$157,500 of General Fund Reserve for a loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, in the City Administrator's Budget for FY2009-2010.

(Fiscal Impact.)
(Supervisor Elsbernd dissented in Committee.)

03/30/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED?**

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

11. 100269 [Approving Commercial Paper Reimbursement Agreement and Dealer Agreements]
Sponsor: Mayor
Resolution of the City and County of San Francisco approving the form of Reimbursement Agreement or Reimbursement Agreements and the form of Dealer Agreement in connection with its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation, authorizing the execution and delivery of one or more of such Reimbursement Agreement and the execution and delivery of one or more Dealer Agreements and authorizing other related actions.

(Fiscal Impact.)
(Supervisor Mirkarimi dissented in Committee.)

Question: Shall this Resolution be **ADOPTED?**

12. 100329 [Off-Site Budget and Finance Committee Meeting on April 14, 2010, 4:00 p.m. at Horace Mann Middle School]
Sponsor: Avalos
Motion ordering the April 14, 2010, meeting of the Budget and Finance Committee be held at Horace Mann Middle School, 3351 - 23rd Street, auditorium in the Mission district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

Question: Shall this Motion be APPROVED?
13. 100368 [Off-Site Budget and Finance Committee Meeting on April 21, 2010, 4:00 p.m. at the Hall of Flowers]
Sponsor: Avalos
Motion ordering the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers, 9th Avenue at Lincoln Way, in the Inner Sunset district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

14. 091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]
Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 100093 [Housing Code – Residential Hotel Notice Posting Requirement]
Sponsors: Campos; Chiu and Maxwell
Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 100102 [Requiring the Development and Maintenance of Stormwater Management Controls]
Sponsors: Mayor; Maxwell, Mar and Chiu
Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, April 1, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, April 6, 2010.

17. 100303 [Reappointment, Small Business Commission – Luke O'Brien]
Motion approving the Mayor's reappointment of Luke O'Brien to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)
- (Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date - March 12, 2010.)
- Question: Shall this Motion be APPROVED?
18. 100305 [Reappointment, Small Business Commission – Richard Ventura]
Motion approving the Mayor's reappointment of Richard Ventura to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)
- (Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date - March 12, 2010.)
- Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be approved.)

19. 100307 [Reappointment, Juvenile Probation Commission – Dirk Beijen]
Motion approving the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014. (Clerk of the Board)

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date - March 12, 2010.)

Question: Shall this Motion be APPROVED?

20. 100308 [Reappointment, Juvenile Probation Commission – Dirk Beijen]
Motion rejecting the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014. (Clerk of the Board)

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date - March 12, 2010.)

Question: Shall this Motion be APPROVED?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, April 5, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 6, 2010.

21. 091453 [Planning Code Amendment – Green Landscaping Ordinance]
Sponsors: Mayor; Chu, Duffy, Mar and Maxwell
Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for "vehicle use area," "ornamental fencing," and "permeable surface;" amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees, and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 22 through 29

22. 100402 **[Accept and Expend Grant - China MSM Technical Assistance - \$52,803]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$52,803 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "China MSM Technical Assistance" for the period of January 1, 2010, through December 31, 2010.

03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. 100408 **[MUNI Youth Lifeline Discount Pass]**
Sponsors: Mirkarimi; Maxwell, Chiu and Dufty
Resolution requesting the San Francisco Municipal Transportation Agency to create a Youth Lifeline Discount Fast Pass for qualified low-income youth.

03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 24. 100409 [Intent to Install a Commemorative Plaque at 575 Castro Street Recognizing Harvey Milk]**
Sponsors: Duffy; Campos and Mirkarimi
Resolution to provide for the installation of a second plaque at 575 Castro Street, the location of Harvey Milk's former camera shop in the Castro Neighborhood, to identify his significant contributions to San Francisco and to the Lesbian, Gay, Bisexual, and Transgender Community.
- 03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question:** Shall this Resolution be ADOPTED?
- 25. 100410 [Accept and Expend Grant - Pesticide Use Reporting - \$2,880]**
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$2,880 from California Department of Pesticide Regulation to assist with a project entitled "Pesticide Use Reporting" for the period of July 1, 2010, through June 30, 2011.
- 03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question:** Shall this Resolution be ADOPTED?
- 26. 100411 [Supporting Senate Bill 677 Regarding Human Trafficking]**
Sponsors: Chu; Chiu
Resolution supporting Senate Bill 677 regarding Human Trafficking, allowing courts to seize any property used in the commission of human trafficking and adding civil penalties.
- 03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question:** Shall this Resolution be ADOPTED?
- 27. 100412 [Supporting Senate Bill 1108 Regarding Annual Small Business Participation Goal for State Funded Contracts]**
Sponsor: Chiu
Resolution supporting Senate Bill 1108 to codify Governor Schwarzenegger's Executive Order S-02-06 to ensure that the State continues to meet or exceed the 25 percent overall annual small business participation goal for state funded contracts.
- 03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question:** Shall this Resolution be ADOPTED?
- 28. 100413 [Meat-Free Mondays]**
Sponsor: Maxwell
Resolution declaring every Monday as "Vegetarian Day" to urge all restaurants, grocery stores, and schools to offer a variety of plant based options to improve the health of San Francisco residents.
- 03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question:** Shall this Resolution be ADOPTED?

29. 100414 [Commending San Francisco Businesses that Use Only Cage-Free Eggs]
Sponsor: Maxwell
Resolution commending businesses in San Francisco that use only cage-free eggs, and encouraging all businesses to join them in going cage-free.

03/30/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda _____

30. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from March 23, 2010, to March 29, 2010, for reference by President to appropriate committee on April 6, 2010.

- 100351 [Airport 2011 Lease and Use Agreements with Various Airlines]
Resolution approving a term of twenty five (25) new Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at the San Francisco International Airport. (Airport Commission)

03/31/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100352 [Airline and Airport Lease and Use Agreement Modifications and Lease and Operating Agreement Modifications with Various Airlines]

Resolution approving modifications to the terms of eight (8) Airline and Airport Lease and Use Agreements and eleven (11) Lease and Operating Agreements between the City and County of San Francisco and various airlines to allow such airlines to modify the rental of terminal space and modify the terms of one (1) Airline and Airport Lease and Use Agreement to allow for early termination of said Lease and Use Agreement. (Airport Commission)

03/26/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100386 [Approval to Award Restaurant Lease between the Port of San Francisco and D & G Company, LLC, Doing Business as Lou's Pier 47]

Resolution approving Port Commission Restaurant Lease No. L-14630 with D & G Company, LLC, doing business as Lou's Pier 47, for certain real property at 300 Jefferson Street located in Fisherman's Wharf in the City and County of San Francisco for a term of fifteen and one half (15 1/2) years, plus a five (5) year extension option. (Port)

02/23/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100387 [Contract Amendment with G4S Justice Services, LLC, for Electronic Monitoring Services - Not to Exceed \$1,425,000]

Resolution authorizing the Sheriff's Department to enter into a First Amendment to the Agreement between the City and County and G4S Justice Services, LLC, (formerly known as G4S Justice Services, Inc.) to increase the contract amount from \$750,000 to an amount not to exceed \$1,425,000. (Sheriff)

03/29/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100388 [Approving County Refugee Services Plan for FY2009-2010]

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2009-2010. (Human Services Department)

03/29/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

100389 [Professional Services Agreement for Energy Efficiency, Renewable Energy and Climate Change with ICF International]

Resolution approving a Professional Services Agreement with ICF International for Energy Efficiency, Renewable Energy, and Climate Professional Services at a total cost of \$19,000,000. (Environment)

03/29/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100396 [Petitions and Communications]

Petitions and Communications received from March 23, 2010, through March 29, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 6, 2010.

From concerned citizens, submitting support for proposed legislation concerning the sit/lie law. File No. 100233, 4 letters (1)

From John Wyatt, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. File No. 090325 (2)

From Capital Planning Commission, regarding recommendations on the FY2010-2011 and FY2011-2012 capital budget requests for the Port, Airport, and Public Utilities Commission. Copy: Each Supervisor (3)

From Office of the Controller, submitting the January 2010 Economic Barometer Report. (4)

From Mike Boom, regarding the recology dump site at Ostrom Road in Wheatland, CA. (5)

From John, regarding the monthly critical mass bicycle ride in San Francisco. (6)

From Socialist Viewpoint, regarding the March 20, 2010, march and rally against the war. (7)

From Cheryl Arnold, submitting copy of letter sent to the Recreation and Park Commission regarding the proposal to install new soccer fields at the western end of Golden Gate Park. File No. 100053 (8)

From James Corrigan, regarding how the Fire Department can help solve the City and County deficit. (9)

From concerned citizens, submitting opposition to public power in San Francisco. 6 letters (10)

From Elisa Duggan, submitting support for public power in San Francisco. (11)

From Office of the Treasurer & Tax Collector, submitting the February 2010 Pooled Fund Report. (12)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (13)

Harvey Rose - Annual

Debra Newman - Annual

Arthur Louie - Annual

Severin Campbell - Annual

Sean Elsbernd - Annual

April Veneracion - Annual

Tom Jackson - Annual

Erasmio Vazquez - Annual

Ohn Myint - Annual

From concerned citizens, submitting opposition to proposed ordinance increasing heights on some parcels in the Upper Market Street Historic District. File No. 091476, Copy: Each Supervisor, 2 letters (14)

From concerned citizens, submitting opposition to extending the hours of the parking meters in the Marina District. 16 letters (15)

From concerned citizens, submitting opposition to proposed new craft markets in Justin Herman Plaza. 2 letters (16)

From Liane Orlando, urging the Board of Supervisors to assist in stopping the closure of Children's Village at 250-10th Street. (17)

From Daniel Ki, requesting a proclamation for Hepatitis B Awareness Week. (18)

From Joel Chapman, regarding Police Chief George Gascon. (19)

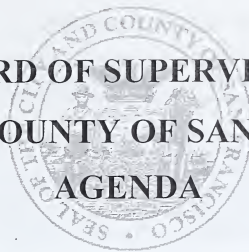
From Emile Lawrence, submitting opposition to increasing fees at San Francisco International Airport for taxi drivers. (20)

From Denise D'Anne, submitting letter regarding non-taxable solutions for San Francisco's financial woes. (21)

From Kenton Louie, regarding using his Translink card on MUNI. (22)

From Office of the Controller, submitting the February 2010 Economic Barometer Report. (23)

ADJOURNMENT



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 13, 2010 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

APR 08 2010

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DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
1:30 PM

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 16, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Elsbernd

1. 100147 **[2010 Annual Fundraising Drive]**
Resolution designating those agencies qualified to participate in the 2010 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.
Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd

2. 100325 **[Approving Sixth Modification to Water Supply Contract]**
Resolution approving a sixth modification to the water supply contract (Contract No. EY-76-C-03-0269), between the City and County of San Francisco and the Department of Energy, pursuant to Charter Section 9.118. (Public Utilities Commission)
Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. 091453 [Planning Code Amendment – Green Landscaping Ordinance]

Sponsors: Mayor; Chu, Dufty, Mar and Maxwell

Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for "vehicle use area," "ornamental fencing," and "permeable surface;" amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees, and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

04/06/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

04/06/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100093 [Housing Code – Residential Hotel Notice Posting Requirement]

Sponsors: Campos; Chiu and Maxwell

Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

04/06/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100102 **[Requiring the Development and Maintenance of Stormwater Management Controls]**
Sponsors: Mayor; Maxwell, Mar, Chiu and Dufty
Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.
- 04/06/2010, PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?
7. 100265 **[Urging the Treasury Oversight Committee to Ratify Socially Responsible Investment Goals in the City's Investment Policy to Encourage Investments Related to Foreclosure Mitigation]**
Sponsors: Chiu; Mar and Maxwell
Resolution urging the Treasury Oversight Committee to ratify socially responsible investment goals in the City's Investment Policy to encourage investments related to foreclosure mitigation.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Mar

8. 100392 **[Appointments, Eastern Neighborhoods Citizens Advisory Committee - Toby Levy and Henry Karnilowitz]**
Motion appointing Toby Levy and Henry Karnilowitz, terms to be determined, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)
- Toby Levy, seat 10, new appointment, must be appointed by the Western SoMa Planning Area Task Force and confirmed by the full Board, for a term to be determined.
Henry Karnilowitz, seat 11, new appointment, must be appointed by the Western SoMa Planning Area Task Force and confirmed by the full Board, for a term to be determined.
- Question: Shall this Motion be APPROVED?
9. 100393 **[Appointment, Market and Octavia Community Advisory Committee - Marius Starkey]**
Motion appointing Marius Starkey, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)
- Marius Starkey, seat 1, succeeding Julian Davis, resigned, must be a resident renter and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2010.
- Question: Shall this Motion be APPROVED?

10. 100394 [Appointment, Local Homeless Coordinating Board - Erick Brown]
Motion appointing Erick Brown, term ending October 21, 2010, to the Local Homeless Coordinating Board. (Clerk of the Board)

Erick Brown, seat 4, succeeding Ginger Martin, resigned, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

11. 100337 [Appropriating \$1,647,249,198 of Proceeds from Debt for the Water System Improvement Program at the Public Utilities Commission for FY2010-2011 through FY2015-2016]

Sponsor: Mayor

Ordinance appropriating \$1,647,249,198 of proceeds from debt for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for FY2010-2011 through FY2015-2016, and placing the entire appropriation of \$1,647,249,198 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, placing on Budget and Finance Committee reserve the funds for construction costs of any project with costs in excess of \$100,000,000 and \$116,863,924 related to funding for project construction starting after June 30, 2012, and adopting environmental findings.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100341 **[Water Revenue Bond Issuance - Not to Exceed \$1,737,724,038]**
Sponsor: Mayor
Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program and the Capital Improvement Program, including but not limited to the Commission's Advanced Meter Infrastructure System, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E, and ratifying previous actions taken in connection therewith.

(Fiscal Impact.) -

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 100400 **[Waiver of Temporary Street Space Occupancy Fee on May 15, 2010, for Small Business Week Sidewalk Sale]**
Sponsors: Mirkarimi; Chiu and Chu
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 15, 2010, as part of Small Business Week.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Elsbernd

14. 100331 **[Approving Central Subway Final Design Contract Package - Not to Exceed \$32,294,319]**
Sponsor: Chu
Resolution approving Municipal Transportation Agency Contract No. CS-155-3, Professional Architectural and Engineering Services for the Final Design and Construction Support of the Central Subway Project - Design Package No. 3 Systems Design for the Central Subway Project with HNTB - B&C JV, a joint venture of HNTB Corporation and B&C Transit, Inc. for an amount not to exceed \$32,294,319 for a term not to exceed ten years with an option to extend the term an additional two years.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

From Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Elsbernd

15. 100373 **[Authorizing Expenditures from South of Market Community Stabilization Fund - \$1,844,273]**
Sponsor: Daly
Resolution approving the 2010 South of Market Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend South of Market Community Stabilization Fund dollars in the amount of \$1,844,273.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Campos, Elsbernd, Maxwell

16. 100248 **[Creation of General Reserve and Budget Stabilization Reserve]**
Sponsors: Chiu; Mayor
Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds. (Controller)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

17. 091271 **[Zoning -- Street Frontages for Most Use Districts]**
Sponsors: Mirkarimi; Mar
Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

03/23/2010; SUBSTITUTED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 100008 [Permit and License Fee Elimination]**Sponsor: Chiu**

Ordinance amending San Francisco Business and Tax Regulations Code Sections 248 and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing San Francisco Police Code Section 2.28, all to eliminate certain permit and license fees and revenue fees, while retaining any underlying permitting, licensing, and other substantive regulatory requirements.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Dufty

19. 100268 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amend Annual Salary Ordinance FY2009-2010 - \$729,932]**Sponsor: Mayor**

Ordinance authorizing the Department of Children, Youth & Their Families to retroactively accept and expend grant funding in the amount of \$729,932 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs; and amending the Annual Salary Ordinance No. 183-09 for FY2009-2010 to reflect the addition of one Class 1822 grant-funded position (0.50 FTE) at the Department of Children, Youth & Their Families and one Class 2910 grant-funded position (0.50 FTE) at the Public Defender's Office.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

20. 100204 [Americans with Disabilities Act - Reasonable Modification Policy]**Sponsors: Alioto-Pier; Mar and Campos**

Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

21. 100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed March 1, 2010; Companion Measure to File Nos. 100253, 100254, 100255.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

22. 100253 [Affirming the Exemption Determination for 100 – 32nd Avenue]

Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

23. 100254 [Reversing the Exemption Determination Issued for 100 – 32nd Avenue]

Motion reversing the determination by the Planning Department that the 100 - 32nd Avenue project is exempt from environmental review.

Question: Shall this Motion be APPROVED?

24. 100255 [Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

25. 100288 [Public Hearing - Appeal of Determination of Statutory Exemption from Environmental Review for San Francisco Municipal Transportation Agency Transit Service Reductions and Related Fiscal Emergency]
Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 4, 2010, Case No. 2010.0060E, that the San Francisco Municipal Transportation Agency transit service reductions and related fiscal emergency are statutorily exempt from environmental review as provided in California Public Resources Code Section 21080.32 and California Environmental Quality Act (CEQA) Guidelines Section 15285. (Appellant: David Pilpel)

(Filed March 2, 2010; Companion Measure to File Nos. 100289, 100290, 100291.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 100289 [Affirming the Statutory Exemption Determination for the San Francisco Municipal Transportation Agency Fiscal Emergency]
Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is statutorily exempt from environmental review.
27. 100290 [Reversing the Statutory Exemption Determination for the San Francisco Municipal Transportation Agency Service Reductions]
Motion reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is statutorily exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 100291 [Preparation of Findings Related to the Exemption Determination for the San Francisco Municipal Transportation Agency Service Reductions]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 29 through 33

29. 100459 [Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]
Sponsor: Campos
Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.

04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 100460 **[Urging the California Department of Corrections and Rehabilitations to Implement Guidelines to Ensure Voting Access for Eligible Offenders]**
Sponsor: Mirkarimi
Resolution urging the California Department of Corrections and Rehabilitation's Corrections Standard Authority to adopt specific guidelines for County Sheriff's and Department of Corrections, in order to facilitate voting among eligible incarcerated individuals.

04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
31. 100461 **[Commending the Golden Gate Yacht Club and BMW ORACLE Racing Team on Winning the 33rd America's Cup and Urging the City to Host the 34th America's Cup]**
Sponsors: Mirkarimi; Dufty, Maxwell and Chiu
Resolution commending San Francisco's Golden Gate Yacht Club and BMW ORACLE Racing team, directing the Clerk of the Board to send a congratulatory letter regarding their significant achievement of winning the 33rd America's Cup, and urging the City to work diligently on a plan for a San Francisco waterfront venue to host the 34th America's Cup.

04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
32. 100462 **[Regulations to Ensure that Reusable Bags are Suitably Durable and Do Not Contribute to the Landfill Waste Stream]**
Sponsor: Mirkarimi
Resolution requesting the Director of Department of Environment, under the authority of Section 1704, of Chapter 17, of the San Francisco Municipal Environment Code, to promulgate new, or amend existing, regulations to ensure that reusable bags are suitably durable and do not contribute to the landfill waste stream.

04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
33. 100464 **[Supporting Assembly Bill 2511 Regarding Limiting Annual Percentage Rate of Payday Loans]**
Sponsors: Chiu; Campos
Resolution supporting Assembly Bill 2511 regarding limiting the annual percentage rate of payday loans to customers receiving unemployment benefits.

04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

100421 [Settlement of Lawsuit - John Hartnett - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)

04/13/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100438 [Settlement of Lawsuit - Michelle Cody - \$105,000]

Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)

04/13/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

100419 [Airport Concession Lease with Wells Fargo Bank, N.A.]

Resolution approving the Domestic Terminals Automated Teller Machines Lease "A," between Wells Fargo Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/13/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100420 [Airport Concession Lease with JPMorgan Chase Bank, N.A.]

Resolution approving the Domestic Terminals Automated Teller Machines Lease "B," between JPMorgan Chase Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/13/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100439 [Settlement of Claim - Karin Novotna - \$125,000]

Resolution approving the settlement of the unlitigated claim filed by Karin Novotna against the City and County of San Francisco for \$125,000; claim was filed on November 19, 2009. (City Attorney)

04/13/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100440 [Settlement of Claim - Pacific Gas and Electric Company - \$97,957.70]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against Pacific Gas and Electric Company for \$97,957.70; claim was filed on February 1, 2010. (City Attorney)

04/13/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100441 [Approval of FY2010-2011 Expenditure Plan for the Human Services Care Fund]

Resolution approving the FY2010-2011 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

04/13/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100442 [Contract Approval with Global Tel*Link for Inmate Telephone Services]

Resolution approving a contract for operating the Sheriff's Inmate Telephone Services, between Global Tel*Link and the City and County of San Francisco, acting by and through the Sheriff's Department. (Sheriff)

04/13/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100465 [Petitions and Communications]

Petitions and Communications received from March 30, 2010, through April 5, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 13, 2010.

From Planning Department, submitting a copy of Public Notice regarding availability of Draft Environmental Impact Report for San Francisco Public Utilities Commission's Harry Tracy Water Treatment Plant Long-Term Improvements Project, Planning Case No. 2007.1202E, State Clearinghouse No. 2008052106. (1)

From Board President David Chiu, submitting Waiver of 30-Day Rule for proposed ordinance creating a General Reserve and Budget Stabilization Reserve. File No. 100248, copies: Each Supervisor and Budget & Finance Committee Clerk. (2)

From Office of the Mayor, submitting the appointment of Diane B. Wilsey to the War Memorial Board of Trustees, term ending January 2, 2013. (3)

From Office of the Mayor, submitting the appointments of Jewelle L. Gomez and Michael Breyer to the Library Commission, terms ending January 15, 2014. (4)

From Office of the Controller-City Services Auditor, submitting Airport Commission Cash Handling Audit of Ground Transportation Unit. Copies: Each Supervisor (5)

From State of California Fish and Game Commission, submitting a copy of the notice of final consideration on the petition to list the Pacific Fisher as an endangered or threatened species. (6)

From Department of Public Works, submitting Quarterly Report of Defective Sidewalk Repair Revolving Account. Copies: Each Supervisor (7)

From Department of Public Works, submitting Quarterly Report of the Adopt-A-Tree Account for period October 1, 2009, through December 31, 2009. Copies: Each Supervisor (8)

From San Francisco Library Commission, Submitting a copy of Resolution No. 2010-01 approving the solicitation of Integrated Project Delivery proposal for the construction of the new Bayview Branch Library. Copies: Each Supervisor (9)

From Airport Director, submitting a status report on the use of the workforce development funds that the Board released to the Airport in December 2009. (10)

From Fatima Trigoso, submitting support for the appointment of Commissioner Richard Ventura to the Small Business Commission. File No. 100305, Copies: Each Supervisor. (11)

From Stan Feinsod, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. (12)

From San Francisco Ocean Edge, submitting a copy of Bulletin No. 1, Bulletin No. 3, Bulletin No. 4, and Bulletin No. 5 regarding the proposed Beach Chalet Soccer Field Renovation. File No. 100053, Copies: City Operations and Neighborhood Services Committee Members and Committee Clerk. (13)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (14)

Vallie Brown - Annual
Victor Lim - Annual
Catherine Stefani - Annual
Angela Calvillo - Annual
Kay Gulbengay - Annual
Jon Lau - Annual
David Noyola - Annual
Sue Cauthen - Annual
Scott Spertzel - Annual
Louisa Mendoza - Annual
Mervin Conlan - Annual
John McGarry - Annual
Richard Lee - Annual
Gregory Blaine - Annual
Margaret Ruxton - Annual
Diane Robinson - Annual
Alfredo Perez - Annual
Lawrence Lee - Annual
Jeffrey Morris - Annual
Arthur Tom - Annual
Donna Crowder - Annual
Joseph Tham - Annual
Supervisor Ross Mirkarimi - Annual
Suzanne Manneh - Annual
Jill Jay - Assuming
Camelin Blackstone - Annual
Sheila Chung-Hagen - Annual
Rick Galbreath - Annual
Alice Guidry - Annual
Boe Hayward - Annual
Raquel Redondiez - Annual
Olivia Scanlon - Annual
Nancy Miller - Annual
Supervisor John Avalos - Annual
Supervisor David Chiu - Annual
Jennifer Gore - Annual
Daniel Calvert - Annual
Madeleine Miller - Annual
Supervisor Alioto-Pier - Annual
Supervisor Bevan Duffy - Annual
Supervisor David Campos - Annual
Erica Cravens-Green - Annual
James Knoebber - Annual
Richard Knee - Annual
Doyle Johnson - Annual
Allyson Washburn - Annual
Jeremy Pollock - Annual
Madeleine Licavoli - Annual
Alexander Randolph - Assuming
Hope Schmeltzer - Annual
Nicholas Goldman - Annual
Michael Bornstein - Annual

From Office of the Controller City Services Auditor, submitting link to the February 2010 Government Barometer Report. (15)

From Department of Toxic Substances Control, submitting notice to all Regulations List Subscribers that they will be purging all out-dated addresses and are in the process of converting from paper mailings to e-mail delivery. (16)

From Francisco Da Costa, regarding the San Francisco Police Commission meeting at Grace Lutheran Church in the Portola District. (17)

From concerned citizen, submitting opposition to a marijuana dispensary that will be opening in the Sunset District. (18)

From Aaron Goodman, submitting support for proposed ordinance that will amend the Planning Code regarding Green Landscaping and supporting the proposed resolution urging the Treasury Oversight Committee to ratify socially responsible investment goals in the City's investment policy to encourage investments related to foreclosure mitigation. File No's. 091453 & 100265.

Submitting opposition to the proposed ordinance that will amend the Building Code regarding development fee collection procedure. File No. 091251. (19)

From Controller's Office, submitting link to Three-Year Budget Projection for General Fund Supported Operations FY2010-2011 through FY2012-2013 Joint Report. (20)

From Bohdar Herman, submitting opposition to The Community Choice Aggregation Program. (21)

From Department of Public Health, submitting Hazardous Waste Release Disclosure Form. (22)

From Department of Aging and Adult Services, submitting a flyer soliciting candidates for the California Senior Legislature. (23)

From Emil Lawrence, regarding the unauthorized removal of Taxi driver documents by San Francisco Airport Employee. (24)

From Emil Lawrence, submitting a copy of letter to Henry Thompson, Assistant Deputy, Airport Director, regarding increased Taxi fees for entering San Francisco International Airport. (25)

From Department of Public Works, submitting response to Supervisor Mirkarimi's inquiry No. 20100330-006. (26)

From concerned citizens, submitting opposition to the Department of Recreation and Parks' plan to introduce a Public Market at Justin Herman Plaza. 6 Letters. (27)

From concerned citizens, submitting opposition to the Municipal Transportation Agency's proposed changes to parking meters in the City. 14 Letters. (28)

From Pacific Gas and Electric Company, submitting Notice of Pacific Gas and Electric Company's Phase II 2011 General Rate Case Application (GRC Phase II). (29)

From Susan Berry, regarding a parking citation received on January 29, 2010, at 729 Jones Street. Copy: Supervisor Chiu. (30)

From Molly Burke, submitting a copy of a press release regarding BART's budget balanced without major impacts on customers. (31)

From Francisco Da Costa, submitting a link to article regarding the Environmental Protection Agency's warning to Lennar. (32)

From Roland Sheppard, expressing concerns regarding the City and County of San Francisco allegedly trampling on Civil Liberties. (33)

From Francisco Da Costa, regarding the San Francisco Redevelopment Agency's plans to place a prefabricated building on Parcel A - Lot D. (34)

From Selina Chen, expressing concerns regarding loss of funding to the Department of Children, Youth & Their Families. (35)

From Francisco Da Costa, regarding Bay Area Air Quality Management District meeting that was held on March 29, 2010. (36)

From concerned citizens, expressing concerns regarding the current condition of the soccer fields located at the Golden Gate Park Polo Fields and Beach Chalet Soccer Fields. 2 Letters. (37)

From Pete Milton, submitting opposition to the City's loan to the Community Center Project of San Francisco, Inc., located at 1800 Market Street. File No. 100133 (38)

From Sharon Starr, submitting support to restore Sharp Park to a more natural habitat. Copies: Supervisors Mar, Chu, Elsbernd, and the Government Audit and Oversight Committee Clerk. (39)

From Bill Jaeck, submitting opposition to the proposed ordinance that will amend Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan. File No. 091476 (40)

From Da Graczyk, regarding potential health impacts of wireless facilities. File No. 100043 (41)

From Da Graczyk, regarding maintaining control over Fiber Networks. File No. 100266 (42)

From Michael Lind, submitting opposition to converting the Edward Inn, located at 3155 Scott Street, to a homeless shelter or half-way house. (43)

From James Chaffee, regarding the Library Commission's alleged violation of the Sunshine Ordinance. (44)

From concerned citizen, submitting opposition to proposed legislation concerning the Sit/Lie law. File No. 100233 (45)

ADJOURNMENT

APR 09 2010

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Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, April 20, 2010

Time: 4:00 p.m.

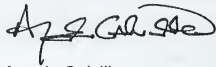
Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

Subject: Hearing of persons interested in or objecting to the Planning Department's March 18, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2002.0133E, through its Motion No. 18046, and its decision of the Planning Department's March 18, 2010, Case No. 2002.0133EZMRKXV, adoption of California Environmental Quality Act findings, through its Motion No. 18047, which will include demolition of two buildings at 501-505 Washington Street and 545 Sansome Street, and construction of a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching in height to approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share spaces, including vacation of Mark Twain Alley and conveyance of Redwood Park to the City and County of San Francisco, for project located at 555 Washington Street (aka 545 Sansome Street), Block No. 0207, Lot Nos. 33, 35, and 36. (District 3) (Appellants: Sue Hestor, on behalf of San Franciscan's for Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers).

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in

written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, April 15, 2010.

A handwritten signature in black ink, appearing to read 'Angela Calvillo', with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board

DATED: April 9, 2010

GOVERNMENT
BOARD of SUPERVISORS
DEPT

APR 09 2010

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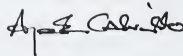
Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

Subject: Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0531C), under Planning Code Sections 303, 711.83 and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at 725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408. (District 7) (Appellant: Robert Carson)

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

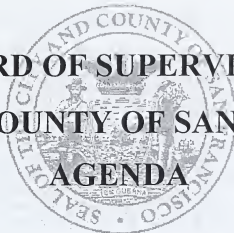
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Clerk of the Board

DATED: April 9, 2010



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 20, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

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DOCUMENTS DEPT

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Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 23, 2010, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third Board Meeting of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19**Recommendations of the Budget and Finance Sub-Committee**

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100337 **[Appropriating \$1,647,249,198 of Proceeds from Debt for the Water System Improvement Program at the Public Utilities Commission for FY2010-2011 through FY2015-2016]**
Sponsor: Mayor
Ordinance appropriating \$1,647,249,198 of proceeds from debt for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for FY2010-2011 through FY2015-2016, and placing the entire appropriation of \$1,647,249,198 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, placing on Budget and Finance Committee reserve the funds for construction costs of any project with costs in excess of \$100,000,000 and \$116,863,924 related to funding for project construction starting after June 30, 2012, and adopting environmental findings.

(Fiscal Impact.)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
2. 100341 **[Water Revenue Bond Issuance - Not to Exceed \$1,737,724,038]**
Sponsor: Mayor
Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program and the Capital Improvement Program, including but not limited to the Commission's Advanced Meter Infrastructure System, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
3. 100400 **[Waiver of Temporary Street Space Occupancy Fee on May 15, 2010, for Small Business Week Sidewalk Sale]**
Sponsors: Mirkarimi; Chiu, Chu and Campos
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 15, 2010, as part of Small Business Week.

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100312 [Airport Concession – Terminal 2 Gourmet Market and Wine Bar Lease with D-Lew Enterprise, LLC]
Resolution approving a Terminal 2 Gourmet Market and Wine Bar Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

5. 100313 [Airport Concession – Terminal 2 Quick Serve Lease with BJ Annex, LLC]
Resolution approving the Terminal 2 Quick Serve Lease, between BJ Annex, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

6. 100314 [Airport Concession – Terminal 2 Cocktail Lounge Lease with HBF Soto JV, LLC]
Resolution approving the Terminal 2 Cocktail Lounge Lease between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

7. 100316 [Airport Concession – Terminal 2 Quick Serve Lease with Sankaku, Inc.]
Resolution approving the Terminal 2 Quick Serve Lease between Sankaku, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

8. 100317 [Airport Concession – Terminal 2 Sit-Down Restaurant Lease with D-Lew Enterprises, LLC]
Resolution approving a Terminal 2 Sit-Down Restaurant Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

9. 100318 [Airport Concession – Terminal 2 Bakery and Coffee Facilities Lease with Gotham Enterprises, LLC]
Resolution approving a Terminal 2 Bakery and Coffee Facilities Lease between Gotham Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

10. 100319 [Airport Concession – Terminal 2 Quick Serve Lease with Andale Management Group, Inc.]
Resolution approving the Terminal 2 Quick Serve Lease, between Andale Management Group, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

11. 100320 [Airport Concession – Terminal 2 Quick Serve Lease with HBF Soto JV, LLC]
Resolution approving the Terminal 2 Quick Serve Lease, between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

12. 100398 [Accept and Expend Grant - AIDS Office Space Renovation - \$9,508,907]
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the National Institutes of Health in the amount of \$9,508,907 to fund the AIDS Office Space Renovation for the period March 4, 2010, through March 3, 2015.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

13. 100309 [Liquor License - 450 Florida Street]
Resolution determining that the issuance of a Type 64 Special On-Sale General Theater Liquor License, for Lisa Steindler for the Z Space Studio dba Z Space located at 450 Florida Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

14. 100388 [Approving County Refugee Services Plan for FY2009-2010]
Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2009-2010. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Avalos, Elsbernd

15. 100342 [Accept and Expend Gift - Hayes Valley Playground Project - \$1,500,000]
Sponsors: Mayor; Mirkarimi
Resolution accepting and expending a gift valued up to \$1,500,000 from The Trust for Public Land to the Recreation and Parks Department for the Hayes Valley Playground project.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

16. 091271 [Zoning – Street Frontages for Most Use Districts]

Sponsors: Mirkarimi; Mar

Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

03/23/2010; SUBSTITUTED.

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 100008 [Permit and License Fee Elimination]

Sponsor: Chiu

Ordinance amending San Francisco Business and Tax Regulations Code Sections 248 and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing San Francisco Police Code Section 2.28, all to eliminate certain permit and license fees and revenue fees, while retaining any underlying permitting, licensing, and other substantive regulatory requirements.

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Dufty

18. 100268 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amend Annual Salary Ordinance FY2009-2010 - \$729,932]

Sponsor: Mayor

Ordinance authorizing the Department of Children, Youth & Their Families to retroactively accept and expend grant funding in the amount of \$729,932 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs; and amending the Annual Salary Ordinance No. 183-09 for FY2009-2010 to reflect the addition of one Class 1822 grant-funded position (0.50 FTE) at the Department of Children, Youth & Their Families and one Class 2910 grant-funded position (0.50 FTE) at the Public Defender's Office.

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Mar

19. 100204 [Americans with Disabilities Act - Reasonable Modification Policy]
Sponsors: Alioto-Pier; Mar, Campos, Chiu and Mirkarimi
Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

04/13/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA**UNFINISHED BUSINESS****Recommendation of the Budget and Finance Committee**

Present: Supervisors Avalos, Mirkarimi, Campos, Elsbernd, Maxwell

20. 100248 [Creation of General Reserve and Budget Stabilization Reserve]
Sponsors: Chiu; Mayor, Chu and Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds. (Controller)

04/13/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbern

21. 100338 [Appropriating \$33,735,421 of Proceeds from Debt and Fee Revenues for Water Capital Improvements at the Public Utilities Commission for FY2010-2011 and FY2011-2012]
Sponsor: Mayor
Ordinance appropriating \$33,735,421 of proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2010-2011 and FY2011-2012 and placing \$29,642,138 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and fee revenues.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 100339 [Appropriating \$348,064,054 of State Grants Proceeds from Debt and Fee Revenues for Wastewater Capital Improvements at the Public Utilities Commission for FY2009-2010]
Sponsors: Mayor; Dufty
Ordinance appropriating \$348,064,054 of state grants proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2009-2010, and placing \$329,962,235 by project on Controller's reserve subject to SFPUC and Board of Supervisor's discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, grant funds, and fee revenues.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 100340 [Wastewater Revenue Bond Issuance – Not to Exceed \$297,756,235]
Sponsors: Mayor; Dufty
Ordinance approving the issuance and sale of wastewater revenue bonds in an aggregate principal amount not to exceed \$297,756,235 by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, Avalos, Elsbernd

24. 100264 [Urging Lennar Corporation to Issue a Formal Written Apology]
Sponsor: Daly
Resolution urging the Lennar Corporation to issue a formal, written apology to members of the Stop Lennar Action Movement and the City and County of San Francisco for irresponsible and potentially dangerous behavior.
Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Maxwell

25. 100240 [Supporting Senate Bill 330 Regarding University of California]
Sponsor: Mar
Resolution supporting Senate Bill 330 for increased transparency and accountability in auxiliary organizations and foundations in the University of California and California State University systems.
03/09/2010; REFERRED to the Government Audit and Oversight Committee.
Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

26. 100382 **[Public Hearing - Appeal of Conditional Use for 725 Taraval Street]**
Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0531C), under Planning Code Sections 303, 711.83, and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at 725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408. (District 7) (Appellant: Robert Carson) (Clerk of the Board)

(Filed 3/25/10 - Companion Measure to File Nos. 100383, 100384, 100385.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

27. 100383 **[Affirming Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]**
Motion affirming the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 100384 [Reversing Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion reversing the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 100385 [Preparation of Findings Related to the Conditional Use Appeal for 725 Taraval Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**30. 100443 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 555 Washington Street]**

Hearing of persons interested in or objecting to the Planning Department's March 18, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2002.0133E, through its Motion No. 18046, and its decision of the Planning Department's March 18, 2010, Case No. 2002.0133EZMRKXV, adoption of California Environmental Quality Act findings, through its Motion No. 18047, which will include demolition of two buildings at 501-505 Washington Street and 545 Sansome Street, and construction of a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching in height to approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share spaces, including vacation of Mark Twain Alley and conveyance of Redwood Park to the City and County of San Francisco, for project located at 555 Washington Street (aka 545 Sansome Street), Block No. 0207, Lot Nos. 33, 35, and 36. (District 3) (Appellants: Sue Hestor, on behalf of San Franciscan's for Reasonable Growth, and Vedic Puri, on behalf of Telegraph Hill Dwellers). (Clerk of the Board)

(Filed April 2, 2010, Companion to File Nos. 100444, 100445, 100446)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

31. 100444 [Affirming the Certification of the 555 Washington Street Final Environmental Impact Report]
Motion affirming the certification by the Planning Department of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
32. 100445 [Reversing the Certification of the 555 Washington Street Project Final Environmental Impact Report]
Motion reversing the certification by the Planning Department of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
33. 100446 [Preparation of Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report]
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Department of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 34 through 39

34. 100459 **[Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]**
Sponsor: Campos
Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.
- 04/06/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 04/13/2010; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**
35. 100475 **[Supporting Establishment of Statewide Extended Producer Responsibility System and Framework]**
Sponsor: Mirkarimi
Resolution urging the California State Legislature to enact an extended producer responsibility framework, requesting the City and County of San Francisco's lobbying efforts include extended producer responsibility advocacy, authorizing the City to become a member of the California Product Stewardship Council and recommitting the City to the goals of the Environmentally Preferable Purchasing Ordinance.
- Question: Shall this Resolution be ADOPTED?**
36. 100476 **[Supporting Creation of and Declaring Asian Pacific Mental Health Day - May 10, 2010]**
Sponsor: Mar
Resolution supporting the creation of Asian Pacific Mental Health Day on May 10, 2010, and each May 10 thereafter.
- 04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. 100477 **[Armenian Genocide Commemoration Day - April 24, 2010]**
Sponsors: Elsbernd; Campos, Dufty, Alioto-Pier, Mar, Avalos, Chu, Maxwell, Mirkarimi, Daly and Chiu
Resolution declaring April 24, 2010, as Armenian Genocide Commemoration Day in San Francisco.
- 04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

38. 100478 [Honoring Jane Morrison on the Occasion of her 90th Birthday]
Sponsor: Chiu
Resolution honoring Jane Morrison on the occasion of her 90th birthday.

04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
39. 100479 [Commending Women's Sports Foundation Chief Executive Officer, Kathryn Olson]
Sponsor: Alioto-Pier
Resolution commending Kathryn Olson on her selection as Chief Executive Officer of the Women's Sports Foundation.

04/13/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from April 6, 2010, through April 12, 2010, for reference by President to appropriate committee on April 20, 2010.

100492 [Supplemental Agreement to Install an Additional Water Pipeline Over Union Pacific Railroad Company Property in Stanislaus County]

Resolution approving and authorizing a Supplemental Agreement with Union Pacific Railroad Company ("Railroad") to install an additional water pipeline within an existing easement area over Railroad property near the City of Oakdale in Stanislaus County required for the San Joaquin Pipeline System Project No. CUW37301 (the "Project") for a fee of \$2,500; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

04/12/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100493 [Finding of Fiscal Feasibility of Runway Safety Area Project at San Francisco International Airport]

Resolution finding the proposed Runway Safety Area project at San Francisco International Airport fiscally feasible pursuant to Administrative Code Chapter 29. (Airport Commission)

04/12/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100485 [Petitions and Communications]

Petitions and Communications received from April 6, 2010, through April 12, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 20, 2010.

From concerned citizens, regarding meat-free Monday in San Francisco. File No. 100413, 12 letters (1)

From California Preservation Foundation, regarding the Beach Chalet Soccer Fields in Golden Gate Park. File No. 100053, Copy: City Operations and Neighborhood Services Committee and Clerk (2)

From State Office of Historic Preservation, submitting notice that Sacred Heart Church is listed on the National Register of Historic Places. Copy: Each Supervisor (3)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (4)

John Dalessi - Annual

Hanley Chan - Annual

Michael Bornstein - Annual

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapter 12B for Transtech. (5)

From Greenlining Institute, regarding the Lennar Corporation. (6)

From Veterans Affairs Commission, submitting the 2009 Annual Report. (7)

From James Chaffee, regarding the Ethics Commission, Sunshine Ordinance Task Force, and Open Government. 2 letters (8)

From Alvin Johnson, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. File No. 090325 (9)

From Kevin Reed, regarding legalizing marijuana for adult use. (10)

From concerned citizens, submitting opposition to any increase in parking meter fees. 4 letters (11)

From Jeff Miller, regarding Sharp Park Golf Course. (12)

From Francisco Da Costa, regarding the Planning Department and the San Francisco Labor Council. (13)

From Julie Aldridge, submitting opposition to public power in San Francisco. (14)

From Edward Goehring, concerning funding cuts for public safety. (15)

From Lee Goodin, regarding the Entertainment Commission. (16)

From Cooper Schuman, urging full funding for MUNI. (17)

From Jim Cusack, requesting a pedestrian crossing at California Street and 11th Avenue. (18)

From Patrick Monette-Shaw, regarding the 2009 Citizen's General Obligation Bond Oversight Committee's Annual Report. File No. 100328, 2 letters (19)

From David Schiller, submitting suggestions for re-naming Third Street to "Willie Brown Boulevard" in San Francisco. (20)

From Alicia Gaylord, regarding the South of Market Community Stabilization Fund. (21)

From concerned citizens, submitting opposition to proposed cell tower at Miraloma Community Church. 2 letters (22)

From Gloria Melone, submitting support for proposed initiative that sets transit operator wages through collective bargaining. (23)

From Francisco Da Costa, regarding hundreds of empty condos in San Francisco. (24)

From Sutton Law Firm, submitting copy of the Notice of Intent and Title and Summary of the proposed Charter Amendment entitled "Setting Transit Operator Wages through Collective Bargaining" as published by the Recorder on April 5, 2010. Copy: Each Supervisor (25)

From concerned citizens, regarding the four protesters in the Mission duplex takeover. 2 letters (26)

From Kenton Louie, regarding the MUNI Fast Pass. (27)

From Alicia Vanden Heuvel, regarding the school lunch program in San Francisco public schools. (28)

From Jesse Bernal, submitting support for institutional aid for students affected by the provisions of Assembly Bill 540 at the University of California. (29)

From Planning Department, submitting the 2009 Housing Inventory Report. (30)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, April 27, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

APR 23 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHEL A LIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the March 30, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 18

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100338 **[Appropriating \$33,735,421 of Proceeds from Debt and Fee Revenues for Water Capital Improvements at the Public Utilities Commission for FY2010-2011 and FY2011-2012]**
Sponsor: Mayor
Ordinance appropriating \$33,735,421 of proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2010-2011 and FY2011-2012 and placing \$29,642,138 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and fee revenues.

(Fiscal Impact.)

04/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100339 [Appropriating \$348,064,054 of State Grants Proceeds from Debt and Fee Revenues for Wastewater Capital Improvements at the Public Utilities Commission for FY2009-2010]
Sponsors: Mayor; Dufty
Ordinance appropriating \$348,064,054 of state grants proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2009-2010, and placing \$329,962,235 by project on Controller's reserve subject to SFPUC and Board of Supervisor's discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, grant funds, and fee revenues.

(Fiscal Impact.)

04/20/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
3. 100310 [Airport Concession Lease - Terminal 2 Book Store with Books, Inc.]
Resolution approving the Terminal 2 Book Store lease between Books, Inc., (Compass Books, Inc.), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
4. 100315 [Airport Concession Lease - Terminal 2 Specialty Store with Charles Chocolates, Inc.]
Resolution approving the Terminal 2 Specialty Store lease between Charles Chocolates, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
5. 100322 [Airport Concession Lease - Terminal 2 Spa with XpresSpa SF International, Inc.]
Resolution approving the Terminal 2 Spa lease between XpresSpa SF International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
6. 100389 [Professional Services Agreement - Energy Efficiency, Renewable Energy and Climate Change with ICF International - \$19,000,000]
Sponsor: Mirkarimi
Resolution approving a Professional Services Agreement with ICF International for Energy Efficiency, Renewable Energy, and Climate Professional Services at a total cost of \$19,000,000. (Environment)

Question: Shall this Resolution be ADOPTED?

7. 100431 **[Accept and Expend Grant - Recovery Act Justice Assistance Grant - \$963,198]**
Sponsors: Mayor; Dufty and Mirkarimi
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$963,198 from the California Emergency Management Agency, to assist with a project entitled "Recovery Act Justice Assistance Grant" for the period of October 1, 2009, through March 31, 2011.

Question: Shall this Resolution be ADOPTED?

8. 100474 **[Accept and Expend Grant - American Recovery and Reinvestment Act GreenFinanceSF - \$2,080,000]**
Sponsors: Mayor; Dufty and Mirkarimi
Resolution amending Resolution No. 59-10 retroactively to substitute the Public Utilities Commission, for the Department of the Environment, as the department authorized to accept and expend a grant in the amount of \$2,080,000 from the California Energy Commission's State Energy Program to provide financial assistance for GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings, and ratifying actions previously taken.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Dufty

9. 100433 **[Accept and Expend Grant - San Francisco Drug Elimination Team - \$533,810]**
Sponsor: Chu
Resolution authorizing the Department of Children, Youth & Their Families, to retroactively accept and expend grant funding in the amount of \$533,810 from the California Emergency Management Agency to fund the San Francisco Drug Elimination Team, a multi-disciplinary partnership, comprised of the San Francisco Police Department, the District Attorney's Office, and the Adult Probation Department for the period of July 1, 2009, through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

10. 100435 **[Accept and Expend Grant - Substance Abuse Offender Treatment Program - \$370,182]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Alcohol and Drug Programs in the amount of \$370,182 to fund the Substance Abuse Offender Treatment Program for the period July 1, 2009, through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

11. 100421 [Settlement of Lawsuit - John Hartnett - \$30,000]

Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100438 [Settlement of Lawsuit - Michelle Cody - \$105,000]

Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 100439 [Settlement of Claim - Karin Novotna - \$125,000]

Resolution approving the settlement of the unlitigated claim filed by Karin Novotna against the City and County of San Francisco for \$125,000; claim was filed on November 19, 2009. (City Attorney)

Question: Shall this Resolution be ADOPTED?

14. 100440 [Settlement of Claim - Pacific Gas and Electric Company - \$97,957.70]

Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against Pacific Gas and Electric Company for \$97,957.70; claim was filed on February 1, 2010. (City Attorney)

Question: Shall this Resolution be ADOPTED?

15. 100426 [Appointment, In-Home Supportive Services Public Authority - Kenzi Robi]

Motion appointing Kenzi Robi, term ending March 1, 2012, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

16. 100463 [Appointments, SRO Task Force - Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan]

Motion appointing Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Present: Supervisors Campos, Mar

17. 100423 **[Appointment, Commission on the Aging Advisory Council - Elinore Luris]**
Motion appointing Elinore Luris, term ending March 31, 2012, to the Commission on the Aging and Advisory Council. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

18. 100424 **[Appointment, Sweatfree Procurement Advisory Group - Alicia Culver]**
Motion appointing Alicia Culver, term ending December 17, 2011, to the Sweatfree Procurement Advisory Group, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

19. 100340 **[Wastewater Revenue Bond Issuance – Not to Exceed \$297,756,235]**
Sponsors: Mayor; Dufty
Ordinance approving the issuance and sale of wastewater revenue bonds in an aggregate principal amount not to exceed \$297,756,235 by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

04/20/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Campos

20. 100430 [Ten Year Capital Expenditure Plan - FYs2011-2020]
Sponsors: Mayor; Chiu
Resolution adopting the City's ten year capital expenditure plan for FYs2011-2020.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

21. 100251 [Approval of Contract with AT&T for City Telecommunications Services - \$75,000,000]
Ordinance approving, retroactively, a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of \$75,000,000, for a four and one-half year term beginning on March 1, 2010. (Department of Technology)

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 100311 [Airport Concession Lease - Amendment to Post-Security Master Retail/Duty Free Concession with DFS Group, L.P.]
Resolution approving Amendment No. 8 to the Post-Security Master Retail/Duty Free Concession Lease No. 99-0035 between DFS Group, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
23. 100321 [Airport Concession Lease - Terminal 2 and 3 Electronics and Technology Stores with Edge 1 Cellular, L.P.]
Resolution approving the Electronics and Technology Stores in Terminal 2 and Terminal 3 lease, between Edge 1 Cellular, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

24. 090584 **[Requiring Lighting Efficiency Measures in Commercial and City Buildings]**
Sponsors: Duffy; Mayor and Chiu
Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 091208 **[24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]**
Sponsor: Duffy
Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 100021 **[Acceptance of Real Property - Dearborn Street]**
Sponsor: Duffy
Resolution authorizing an agreement under which the San Francisco League of Urban Gardeners will transfer title to real property located on Dearborn Street (Lot Nos. 040 and 073, Block No. 3577), the use of which is restricted to a community garden; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, accept the deeds to property and take certain actions in furtherance of this Resolution.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

27. 100151 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2462 - 27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 16, 2009, Case No. 2009.0797E, that a project located at 2462 - 27th Avenue is exempt from environmental review under the California Environmental Quality Act (CEQA) as a Class 1(e) categorical exemption. The proposal would add a third floor and rear extension to the existing family home located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District, in Assessor's Block No. 2399, Lot No. 026. (District 4) (Appellant: Stephen M. Williams on behalf of Sunset Parkside Education and Action Committee (SPEAK)).

(Filed February 3, 2010; Companion Measure to File Nos. 100152, 100153, 100154.)

03/16/2010; CONTINUED.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

28. 100152 [Affirming the Determination of Exemption Issued for 2462 - 27th Avenue]
Motion affirming the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

03/16/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

29. 100153 [Reversing the Determination of Exemption Issued for the 2462 – 27th Avenue Project]
Motion reversing the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

03/16/2010, CONTINUED

Question: Shall this Motion be APPROVED?

30. 100154 [Preparation of Findings Related to the Determination of Exemption Issued for 2462 – 27th Avenue Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of determination of exemption by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

03/16/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 31 through 34

- 31. 100504 [Commending Dennis Morris, Assistant District Attorney, Upon his Retirement]**
Sponsor: Elsbernd
Resolution commending Dennis Morris, Assistant District Attorney, upon his retirement.

04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 32. 100505 [Support for Louis' Restaurant]**
Sponsors: Mar; Mirkarimi, Daly, Alioto-Pier, Chu and Chiu
Resolution supporting Louis' Restaurant at 902 Point Lobos.

04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 33. 100506 [Commemorating Adolph Sutro's 180th Birthday]**
Sponsor: Mar
Resolution commemorating the 180th birthday of Adolph Sutro.

04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 34. 100507 [Accept and Expend Gift - Jeanne Fontana Revocable Trust - \$25,000]**
Sponsor: Duffy
Resolution authorizing the San Francisco Department of Animal Care and Control to accept and expend a gift of \$25,000 from the Jeanne Fontana Revocable Trust.

04/20/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCE

Proposed ordinance received from April 13, 2010, to April 19, 2010, for reference by President to appropriate committee on April 27, 2010.

100515 [Settlement of Lawsuit - Blackhawk Parent LLC - \$250,000]

Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent LLC, against the City and County of San Francisco for \$250,000; the lawsuit entitled Blackhawk Parent LLC v. City and County of San Francisco, Case No. 478-160, filed August 1, 2008, in San Francisco Superior Court. (City Attorney)

04/14/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTION

Proposed resolution received from April 13, 2010, to April 19, 2010, for reference by President to appropriate committee on April 27, 2010.

100516

[Lease Agreement with the California State Lands Commission]

Resolution approving and authorizing a 25 year lease with the California State Lands Commission for a portion of the San Francisco Bay in Alameda and San Mateo Counties, at no rent, for the public purpose of constructing the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

04/19/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100514 [Petitions and Communications]

Petitions and Communications received from April 13, 2010, through April 19, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 27, 2010.

From concerned citizens, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. 5 letters (1)

From SF Ocean Edge, regarding the Beach Chalet soccer fields project in Golden Gate Park. 2 letters (2)

From Planning Department, submitting Notice of Preparation of an Environmental Impact Report for 121 Golden Gate Avenue. Copy: Each Supervisor (3)

From Emael Haasalum, regarding "Celebrate San Francisco" at the Mission Cultural Center for Latino Arts from September 8, 2010, to October 9, 2010. (4)

From Greg Ganji, requesting traffic be redirected along the Great Highway, south of Sloat Boulevard, so that one lane is open going south, and one lane is open going north, until the permanent solution is completed. (5)

From Residential Rent Stabilization and Arbitration Board, submitting the Annual Report on Eviction Notices from March 1, 2009, through February 28, 2010. Copy: Each Supervisor (6)

From Monika Weiler, regarding MUNI. (7)

From Office of the Treasurer and Tax Collector, submitting the March 2010 Investment Report. Copy: Each Supervisor (8)

From Sarah Slaughter, regarding proposal for a Trader Joe's at the Noe/Market Street Center. (9)

From Joshua Arce, regarding the Sunset Reservoir Solar Project. (10)

From Gabe Parsons, regarding the new digital body scanners at all major airports. (11)

From concerned citizens, submitting opposition to approval of the Conditional Use Application on property located at 725 Taraval Street. File No. 100382, 2 letters (12)

From Friends of Redwood Park, urging the Board of Supervisors to uphold the Environmental Impact Report for 555 Washington Street. File No. 100443, Approximately 2200 letters (13)

From concerned citizens, submitting opposition to the Environmental Impact Report for 555 Washington Street. File No. 100443, 12 letters (14)

From concerned citizens, submitting opposition to the Municipal Transportation Agency's proposed changes to parking meters in the City. 12 letters (15)

From concerned citizens, submitting opposition to the proposed cell tower at Miraloma Community Church. (16)

From Matt, submitting opposition to public power in San Francisco. (17)

From Office of the Controller, submitting results of the follow-up review for an audit of the Hertz Corporation. Copy: Each Supervisor (18)

From concerned citizens, submitting her concerns with the approval of an 18-hole disc golf course at McLaren Park. 2 letters (19)

From Francisco Da Costa, regarding the Lennar Corporation. (20)

From Tommy Escarega, submitting an amendment to the Board of Supervisors Voting Rights Resolution. (21)

From Office of the Controller, regarding the Community-based Long-term Care Fiscal Analysis. (22)

From S.F. Labor Council, submitting resolution urging the California Labor Federation to oppose Proposition 16 on the June 8, 2010, ballot. Copy: Each Supervisor (23)

From the Gray Panthers, urging the San Francisco Public Utilities Commission to oppose Proposition 16. Copy: Each Supervisor (24)

From Annie Paradise, regarding the Bayview Library. (25)

From Southeast Jobs Coalition, submitting support for the Hunter's View Tenants Association and Hunter's View residents seeking further, more meaningful engagement in the rebuilding of their community. (26)

From Antonio Robles, submitting opposition to the project located at 2462 - 27th Avenue. File No. 100151, Copy: Each Supervisor (27)

From US Army Corps of Engineers, regarding providing recipients with the choice of whether to continue to receive paper copies or to start receiving electronic mail notification of Public Notices. (28)

From Malcolm Dudley, regarding the Masonic Auditorium hearing on May 4, 2010. (29)

From David Mendenhall, regarding "Meatless Mondays" in San Francisco. (30)

From Recreation and Parks Department, regarding the extensive renovation of Garfield Swimming Pool. (31)

From concerned citizen, submitting opposition to California Pacific Medical Center's "Master Plan" for St. Luke's Hospital and the new Cathedral Hill facility. (32)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 4, 2010 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the April 6, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100251 **[Approval of Contract with AT&T for City Telecommunications Services - \$75,000,000]**
Ordinance approving, retroactively, a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of \$75,000,000 for a four and one-half year term beginning on March 1, 2010. (Department of Technology)

(Fiscal Impact.)

04/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
2. 100349 **[Lease of Real Property – 1390 Market Street]**
Resolution authorizing the exercise of a five year option to extend the lease of approximately 9,397 square feet of space located at 1390 Market Street for the Department of Children, Youth and their Families. (Real Estate Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

3. 100227 [Accept and Expend Gift - Recreation and Parks Presidio Heights Playground - \$910,800]

Sponsor: Alioto-Pier

Resolution authorizing the Department of Recreation and Parks to retroactively accept and expend a gift valued at \$910,800 from the Friends of Presidio Heights Playground through the San Francisco Parks Trust for Phase One Improvements to Presidio Heights Playground.

Question: Shall this Resolution be ADOPTED?

4. 100401 [Accept and Expend Grant - Bio-Rad Clinical Trial - \$159,876]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Bio-Rad Laboratories in the amount of \$159,876 to fund the Bio-Rad Clinical Trial project for the period of February 1, 2010, through June 30, 2010.

Question: Shall this Resolution be ADOPTED?

5. 100403 [Accept and Expend Grant - Medical Monitoring Project - \$401,770]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of \$401,770 to support a project entitled, "Medical Monitoring Project" for the period of June 1, 2010, through May 31, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. 091208 [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]

Sponsor: Dufty

Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.

04/27/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

7. **100421 [Settlement of Lawsuit - John Hartnett - \$30,000]**
Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for \$30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)
04/27/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. **100438 [Settlement of Lawsuit - Michelle Cody - \$105,000]**
Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for \$105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)
04/27/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

9. **090584 [Requiring Lighting Efficiency Measures in Commercial and City Buildings]**
Sponsors: Dufty; Mayor and Chiu
Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.
04/27/2010; PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

10. 100246 **[Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of \$10,000 or Less to a Collection Agency]**
Sponsor: Mirkarimi
Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from \$4,000 to accounts with a fair market value of \$10,000. (Treasurer-Tax Collector)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. 100247 **[Additional Penalty for Underreporting Tax by Twenty-five Percent or More]**
Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more. (Treasurer-Tax Collector)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
12. 100471 **[Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$875,957]**
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to expend a grant in the amount of \$875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
13. 100386 **[Approval to Award Restaurant Lease Between the Port of San Francisco and D & G Company, LLC, Doing Business as Lou's Pier 47]**
Resolution approving Port Commission Restaurant Lease No. L-14630 with D & G Company, LLC, doing business as Lou's Pier 47, for certain real property at 300 Jefferson Street located in Fisherman's Wharf in the City and County of San Francisco for a term of fifteen and one half (15 1/2) years, plus a five (5) year extension option. (Port)
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**

14. 100473 **[Adopting Five Year Financial Plans Submitted by the Port and the Airport]**
Sponsor: Mayor
Resolution adopting the five year financial plans submitted by the Port and the Airport under Charter Section 9.119.

Question: Shall this Resolution be ADOPTED?
15. 100500 **[Apply for, Accept and Expend Grant - HOME Investment Partnership Program Entitlement, FY2010-2011 - \$8,580,153]**
Sponsor: Mayor
Resolution approving the FY2010-2011 HOME Investment Partnership Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$8,580,153 and to expend program income in the amount of \$301,605.

Question: Shall this Resolution be ADOPTED?
16. 100501 **[Apply For, Accept and Expend Grant - Emergency Shelter Grants Program Entitlement, FY2010-2011 - \$926,523]**
Sponsor: Mayor
Resolution approving the FY2010-2011 Emergency Shelter Grant Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$926,523 and to expend reprogrammed funds in the amount of \$35,703.

Question: Shall this Resolution be ADOPTED?
17. 100503 **[Apply for, Accept and Expend Grant - Community Development Block Grant Entitlement, FY2010-2011 - \$22,267,380]**
Sponsor: Mayor
Resolution approving the FY2010-2011 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of \$22,267,380 and to expend program income in the amount of \$4,886,000.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

18. 091269 **[Payroll Expense Tax Biotechnology Exclusion Amendment]**
Sponsors: Alioto-Pier; Dufty
Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.

(Fiscal Impact.)

04/20/2010; SUBSTITUTED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Elsbernd

19. 100399 **[Contract Modification with Acumen Fiscal Agent, LLC, for the Jobs Now Program - \$19,995,000]**
Sponsor: Mayor
Resolution approving the emergency declaration to modify the contract between the City and County of San Francisco and Acumen Fiscal Agent, LLC, to provide private employer based wage subsidy reimbursements under the City's Jobs Now Program for qualified Jobs Now participants during the period of March 25, 2010, to June 30, 2011, in the additional amount of \$10,000,000 for a total modified contract amount of \$19,995,000.

Question: Shall this Resolution be ADOPTED?

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

Present: Supervisors Chu, Avalos, Elsbernd

20. 100103 **[Prohibition on Tobacco Sales Within 1,000 Feet of a School]**
Sponsor: Mayor
Ordinance amending the San Francisco Health Code by amending Section 1009.53 and by adding Article 19L, Sections 1010.5 through 1010.11, to prohibit the sale of tobacco within 1,000 feet of any public or private school.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

21. 100447 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1111 California Street (Nob Hill Masonic Center) Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 18, 2010, Case No. 2009.0183E, that a project located at 1111 California Street is exempt from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The proposed project involves interior changes to the building, which would result in an increase of the person-occupancy of the Masonic auditorium from 3,282 to 3,500 (an increase in 218 persons) for standing concert events and a reduction in the person-occupancy of the Exhibition Hall by 220 persons. A maximum of 95 evening live entertainment events would be held at the Masonic Center annually, compared to an average of about 50 such events in recent years. The project would not result in any exterior modifications or changes to the building envelope. The project site is located at the southeast corner of California and Taylor Streets on a block bounded by Jones and Pine Streets in the Nob Hill neighborhood on property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street (Nob Hill Masonic Center), Lot No. 020 in Assessor's Block No. 0253. (District 3) (Appellants: Aldo Caccamo, Rich Hanson, Amy Harmer, Adria Price, William Terrell, Elizabeth Pomada, Donna Muse, and David Chow; and David Millstein, on behalf of Lee Saylor.) (Clerk of the Board)

(Filed April 5, 2010; Companion Measure to File Nos. 100448, 100449, 100450.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

22. 100448 **[Affirming Planning Department Determination of Exemption for 1111 California Street (Nob Hill Masonic Center) Project]**
Motion affirming the determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
23. 100449 **[Reversing Planning Department Determination of Exemption Issued for 1111 California Street (Nob Hill Masonic Center) Project]**
Motion reversing the determination by the Planning Department that the 1111 California Street (Nob Hill Masonic Center) project is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?
24. 100450 **[Preparation of Findings to Reverse the Determination of Exemption for the 1111 California Street (Nob Hill Masonic Center) Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

25. 100451 **[Public Hearing - Appeal of Conditional Use for 1111 California Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 18042 dated March 4, 2010, relating to the approval, of a conditional use authorization (Case No. 2008.1072C), to change the existing non-conforming entertainment use of the "Nob Hill Masonic Center" to "Other Entertainment," pursuant to Planning Code Sections 182(B)(1) and 723.48, and to add permanent food and beverage service for patrons of entertainment and assembly events, pursuant to Planning Code Section 238(D), on a property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253. (District 3) (Appellants: William Terrell, Aldo Caccamo, Chris Freeman, Enrique Landa, Elizabeth Pomada, and Donna Muse) (Clerk of the Board)

(Filed 11/9/09 - Companion Measure to File Nos. 100452, 100453, 100454.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 100452 [Approving Planning Commission Decision Related to Conditional Use Appeal for 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. 100453 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1111 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 100454 [Preparation of Findings Related to the Conditional Use Appeal for 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2008.1072C on property located at 1111 California Street, for action by the Board by May 25, 2010. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, May 3, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 4, 2010.

29. 100332 [Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]

Sponsors: Maxwell; Mar

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 100333 [Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]
Sponsors: Maxwell; Mar
Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 31 through 38

31. 100006 **[Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]**
Sponsor: Chiu
Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
32. 100244 **[Declaring May 2010 Building Safety Month]**
Sponsor: Avalos
Resolution declaring May 2010 as Building Safety Month in the City and County of San Francisco and urging support for supporting public safety efforts by the Department of Building Inspection and recognizing public employees for their contributions to San Francisco's structural safety and well-being.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
33. 100256 **[Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]**
Sponsors: Campos; Chiu, Avalos, Duffy, Daly, Mirkarimi and Mar
Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 100257 **[Calling for Comprehensive Immigration Reform and Condemning Immigration and Customs Enforcement Audits of San Francisco Businesses]**
Sponsors: Campos; Mar, Avalos, Mirkarimi, Chiu, Dufty, Elsbernd, Daly and Alioto-Pier
Resolution calling upon United States Congress to pass Comprehensive Immigration Reform that will solve the problem of undocumented immigration at its roots instead of through piecemeal enforcement-only measures, and condemning Immigration and Customs Enforcement audits of San Francisco businesses, including a unionized company.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 100285 **[Federal Disaster Corps Grants Administered by the California Volunteers]**
Sponsor: Mayor
Resolution authorizing designated City and County of San Francisco officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Disaster Corps Grant administered by California Volunteers.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 100286 **[Supporting Assembly Bill 1900 Relating to Inmates]**
Sponsor: Mirkarimi
Resolution urging the State Legislature to pass Assembly Bill 1900 relating to inmates.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 100220 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interests by Eminent Domain]

Sponsor: Mayor

Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

38. 100489 [Final Map 3191 - 1124 Leavenworth Street]

Motion approving Final Map 3191, a Six Unit Residential Condominium Project, located at 1124 Leavenworth Street being a subdivision of Lot No. 015 in Assessors Block No. 0247 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

04/26/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

39. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL**PROPOSED ORDINANCES**

Proposed ordinances received from April 20, 2010, to April 26, 2010, for reference by President to appropriate committee on May 4, 2010.

100358 [Settlement of Lawsuit - Noah Booher - \$35,000]

Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for \$35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

04/23/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100359 [Settlement of Lawsuit – Betty C. Bullock - \$134,000]

Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for \$134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)

04/23/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100360 [Recreation and Park Department - Harding Park Fees]

Ordinance amending the San Francisco Park Code by amending Section 12.12, to increase greens fees at Harding Park and Fleming Golf Courses, and making environmental findings. (Recreation and Park Department)

04/26/2010; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

100361 [Settlement of Lawsuit – Assimina Mavromatis - \$29,500]

Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for \$29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)

04/26/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100287 [Petitions and Communications]

Petitions and Communications received from April 20, 2010, through April 26, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 4, 2010.

From Health Commission, submitting resolution memorializing the agreements reached by the Health Commission and California Pacific Medical Center regarding its Institutional Master Plan. Copy: Each Supervisor (1)

From Civil Service Commission, regarding the salary survey for registered nurses, for FY2010-2011. Copy: Each Supervisor (2)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for the Training Network. (3)

From National Humane Education Society, thanking the Board of Supervisors for passing legislation that urges the citizens of San Francisco to eat vegetarian meals on Mondays. (4)

From the Port, regarding the Third Quarter Contracting Activity Report for FY2009-2010. Copy: Each Supervisor (5)

From Human Services Agency, submitting the Human Services Agency's revised FY2009-2010 savings projections for the Human Services Care Fund. Copy: Each Supervisor (6)

From Branch Library Improvement Program, submitting the 2000 Branch Library Improvement Bond Quarterly Report for the period of January through March 2010. (7)

From Department of Public Health, submitting report of agencies awarded federal funds by the Department of Public Health in FY2008-2009. Copy: Each Supervisor (8)

From concerned citizens, submitting opposition to the Municipal Transportation Agency's proposed changes to parking meters in the City. 12 letters (9)

From Golden Gate Park Senior Center, urging the Recreation and Parks Commission not to lay off the two recreation directors that work at the Golden Gate Park Senior Center. Copy: Supervisor Mar (10)

From concerned citizen, submitting opposition to approval of the Conditional Use Application on property located at 725 Taraval Street. File No. 100382 (11)

From David Ross, urging the Board of Supervisors to uphold the Environmental Impact Report for 555 Washington Street. File No. 100443 (12)

From concerned citizens, submitting opposition to the Environmental Impact Report for 555 Washington Street. File No. 100443, 13 letters (13)

From concerned citizens, urging the Board of Supervisors to deny the Conditional Use Application for the Nob Hill Masonic Center at 1111 California Street. File No. 100451, Copy: Each Supervisor, 2 letters (14)

From concerned citizens, urging the Board of Supervisors to approve the Conditional Use Application for the Nob Hill Masonic Center at 1111 California Street. File No. 100451, 2 letters (15)

From concerned citizens, submitting opposition to the proposed cell tower at Miraloma Community Church. 2 letters (16)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, Copy: Each Supervisor, 2 letters (17)

From Mary Jessup, submitting opposition for the proposed legislation concerning the sit/lie law. File No. 100233 (18)

From concerned citizens, submitting opposition to proposed legislation regarding development impact fees. File No. 091251, 2 letters (19)

From Secretary of State, Elections Division, submitting copy of the cassette-recorded version of the Official California Voter Information Guide for the June 8, 2010, Statewide Direct Primary Election. (20)

From Melanie Macchio, regarding the proposed project at Beach Chalet Fields in Golden Gate Park. File No. 100053 (21)

From Janet Gracyk, expressing dismay at the Planning Department's Categorical Exemption for the Beach Chalet Soccer Fields Project. File No. 100067 (22)

From Office of the Controller, submitting report regarding the monitoring of nonprofit organizations that received federal funding through the Department of Public Health in FY2008-2009. (23)

From concerned citizen, submitting support for legislation that requires a review of the management contract with the San Francisco Zoological Society to operate the city-owned San Francisco Zoo. (24)

From US Army Corps of Engineers, regarding proposal to accept funds from the California High Speed Rail Authority. (25)

From Office of the Controller, submitting the Economic Barometer Report for February 2010. (26)

From concerned citizen, submitting opposition to California Pacific Medical Center's "Master Plan" for St. Luke's Hospital and the new Cathedral Hill facility. (27)

From Christine Temple-Wolfe, regarding Arizona and illegal citizens. (28)

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 11, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAY - 7 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244,

RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the April 13, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100246 [Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of \$10,000 or Less to a Collection Agency]

Sponsor: Mirkarimi

Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from \$4,000 to accounts with a fair market value of \$10,000. (Treasurer-Tax Collector)

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100247 **[Additional Penalty for Underreporting Tax by Twenty-five Percent or More]**
Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more.
(Treasurer-Tax Collector)

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
3. 100471 **[Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$875,957]**
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to expend a grant in the amount of \$875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
4. 100419 **[Airport Concession Lease with Wells Fargo Bank, N.A.]**
Resolution approving the Domestic Terminals Automated Teller Machines Lease "A," between Wells Fargo Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
5. 100420 **[Airport Concession Lease with JPMorgan Chase Bank, N.A.]**
Resolution approving the Domestic Terminals Automated Teller Machines Lease "B," between JPMorgan Chase Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?
6. 100441 **[Approval of FY2010-2011 Expenditure Plan for the Human Services Care Fund]**
Resolution approving the FY2010-2011 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

7. 100332 **[Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]**

Sponsors: Maxwell; Mar, Chiu and Daly

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 100333 **[Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]**

Sponsors: Maxwell; Mar and Chiu

Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

05/04/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. 091269 [Payroll Expense Tax Biotechnology Exclusion Amendment]
Sponsors: Alioto-Pier; Duffy
Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.

(Fiscal Impact.)

04/20/2010; SUBSTITUTED.

05/04/2010; AMENDED.

05/04/2010; AMENDED.

05/04/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

10. 090584 [Requiring Lighting Efficiency Measures in Commercial and City Buildings]
Sponsors: Duffy; Mayor and Chiu
Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

04/27/2010; PASSED ON FIRST READING.

05/04/2010; AMENDED.

05/04/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

11. 100496 **[Accept and Expend Grant - California Emergency Management Agency and Amendment to the Annual Salary Ordinance for FY2009-2010 - \$505,599]**
Sponsor: Dufty

Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of \$505,599 from the California Emergency Management Agency for a pilot program funded by Senate Bill 678 designed to improve outcomes for 18-25 year old probationers, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (0.25 FTE) in Class 8444 Deputy Probation Officer at the Department of Adult Probation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100351 **[Airport 2011 Lease and Use Agreements with Various Airlines]**
Resolution approving a term of twenty five (25) new Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at the San Francisco International Airport. (Airport Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

13. 100352 **[Airline and Airport Lease and Use Agreement Modifications and Lease and Operating Agreement Modifications with Various Airlines]**
Resolution approving modifications to the terms of eight (8) Airline and Airport Lease and Use Agreements and eleven (11) Lease and Operating Agreements between the City and County of San Francisco and various airlines to allow such airlines to modify the rental of terminal space and modify the terms of one (1) Airline and Airport Lease and Use Agreement to allow for early termination of said Lease and Use Agreement. (Airport Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

14. 091251 [Development Fee Collection Procedure; Administrative Fee]

Sponsors: Mayor; Duffy

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 85 percent of the total amount of fees due, or 80 percent of the total amount of fees due if the project is subject to payment of a neighborhood infrastructure impact development fee, to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 091275 [Development Impact and In-Lieu Fees]

Sponsors: Mayor; Duffy

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 100048 **[Amendment to Solar Energy Incentive Program]**
Sponsors: Daly; Mirkarimi
Ordinance amending the San Francisco Environment Code Sections 18.2, 18.4, 18.7-2, and 18.7-4, to: (1) require all systems receiving City incentives be installed by an individual, firm or organization qualified as a workforce development installer by the Office of Economic & Workforce Development, unless specified exceptions apply, and (2) eliminate increased incentives for residential properties in the case of systems installed by individuals trained under the City workforce development program.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
17. 100492 **[Supplemental Agreement to Install an Additional Water Pipeline Over Union Pacific Railroad Company Property in Stanislaus County]**
Resolution approving and authorizing a Supplemental Agreement with Union Pacific Railroad Company to install an additional water pipeline within an existing easement area over Railroad property near the City of Oakdale in Stanislaus County required for the San Joaquin Pipeline System Project No. CUW37301 for a fee of \$2,500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)
- Question: Shall this Resolution be ADOPTED?**

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

18. 100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed March 1, 2010; Companion Measure to File Nos. 100253, 100254, 100255.)

04/13/2010; CONTINUED.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)**19. 100253 [Affirming the Exemption Determination for 100 - 32nd Avenue]**

Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

20. 100254 **[Reversing the Exemption Determination Issued for 100 – 32nd Avenue]**
Motion reversing the determination by the Planning Department that the 100 - 32nd Avenue project is exempt from environmental review.
04/13/2010; CONTINUED.
Question: Shall this Motion be APPROVED?
21. 100255 **[Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)
04/13/2010; CONTINUED.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

22. 100415 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 424 Francisco Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated March 10, 2010, that a project located at 424 Francisco Street (Building Permit Application No. 2004.01.22.4627, Case No. 2009.0914D) is exempt from environmental review under Categorical Exemption, Class 1. The proposal would install a garage opening within the subject building to accommodate six (6) off-street parking spaces. The subject property is within the North Beach Neighborhood Commercial District with a 40-X Height and Bulk District, Lot No. 010 in Assessor's Block No. 0041. (District 3) (Appellants Malcolm Yeung on behalf of Chinatown Community Development Center and Vedica Puri on behalf of Telegraph Hill Dwellers.) (Clerk of the Board)
(Filed March 30, 2010; Companion Measure to File Nos. 100416, 100417, 100418.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 100416 **[Affirming Planning Department Determination of Exemption for 424 Francisco Street]**
Motion affirming the determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review. (Clerk of the Board)
Question: Shall this Motion be APPROVED?

24. 100417 **[Reversing the Planning Department Determination of Exemption Issued for 424 Francisco Street]**
Motion reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from environmental review. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?
25. 100418 **[Preparation of Findings to Reverse the Planning Department Determination of Exemption for the 424 Francisco Street Project]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, May 6, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 11, 2010.

26. 100522 **[Appointment, Board of Appeals - Christine Hwang]**
Motion appointing Christine Hwang, term ending July 1, 2014, to the Board of Appeals. (Clerk of the Board)
- Christine Hwang, seat 2, succeeding Rafael Mandelman, must be a nominee of the President of the Board of Supervisors approved by the Board of Supervisors, for the term ending on July 1, 2014.
- Question: Shall this Motion be APPROVED?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, May 10, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 11, 2010.

27. 100330 **[Veteran Commons Special Use District - 150 Otis Street]**
Sponsor: Chiu
Ordinance adding Planning Code Section 249.46 to establish the Veteran Commons Special Use District for property located at 150 Otis Street, Block No. 3513, Lot No. 07; amending the City's Zoning Map, Sheet Nos. HT07 and SU07 to change the height district from 85 to 125 feet and reflect the boundaries of the Veteran Commons Special Use District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 28 through 43

28. 100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]

Sponsors: Campos; Chiu, Avalos, Duffy, Daly, Mirkarimi and Mar
Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

04/27/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/04/2010; AMENDED.

05/04/2010; CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

- 29. 100531 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Artist in Schools Program - \$9,600]**
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant totaling \$9,600 from the California Arts Council's Artists in Schools Program to help support the cost of a contracted teaching artist working at Mission High School.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 30. 100533 [Accept and Expend Grant - San Francisco Arts Commission's Arts Education Program - \$15,000]**
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$15,000 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 31. 100538 [Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]**
Sponsor: Mar
Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 32. 100539 [Request for Redevelopment Agency Audit]**
Sponsor: Mirkarimi
Resolution requesting the Redevelopment Agency of the City and County of San Francisco to consent to an audit of selected activities related to the implementation of the expired Western Addition A-2 Redevelopment Plan.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 33. 100540 [Opposing the Dirty Energy Proposition, also known as Attorney General Initiative #09-0104]**
Sponsors: Mirkarimi; Alioto-Pier, Maxwell and Campos
Resolution opposing the Dirty Energy Proposition, also known as Attorney General Initiative # 09-0104 designed to suspend the implementation of The California Global Warming Solutions Act of 2006.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

34. 100541 **[Grant Application - Strategic Growth Council Urban Greening Program]**
Sponsor: Mar
Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to complete an Urban Forest Master Plan.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. 100542 **[Acceptance of Gift - Airport Congressman Tom Lantos Commemorative Plaque - \$15,000]**
Sponsors: Elsbernd; Dufty and Alioto-Pier
Resolution approving the Airport's acceptance of a gift of a commemorative plaque, valued at \$15,000, honoring the late Congressman Tom Lantos from the Lantos Foundation to be placed in the Terminal 3 Hub at the Airport.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
36. 100543 **[Requesting the Controller's Office to Conduct a Review and Analysis of the Funding Recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013]**
Sponsors: Dufty; Campos, Maxwell and Chiu
Resolution requesting that the Controller's Office conduct a review and analysis of the funding recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. 100544 **[Denouncing the Burmese Military Regime's Illegitimate 2010 Election and Recognizing May 27, 2010, as Burma Democracy Day]**
Sponsor: Daly
Resolution denouncing the Burmese military regime's illegitimate 2010 election and recognizing May, 27, 2010, as Burma Democracy Day in honor of the 20th Anniversary of the 1990 Elections.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
38. 100545 **[Proclaiming Public Works Week in San Francisco - May 16-22, 2010]**
Sponsor: Chiu
Resolution proclaiming May 16-22, 2010, as Public Works Week in San Francisco.
- 05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

- 39. 100546 [Accept and Expend Grant - Back on Track Program - \$52,355.57]**
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$52,355.57 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for FY2009-2010 and FY2010-2011.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 40. 100547 [Accept and Expend Grant - Criminal Restitution Compact - \$88,538]**
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to \$88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2009 through June 30, 2011.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 41. 100548 [Supporting Assembly Bill 1871 Regarding Amending State Car Insurance Laws to Allow Personal Vehicles to be Used in Car-Sharing Programs]**
Sponsors: Alioto-Pier; Chiu
Resolution supporting Assembly Bill 1871 to amend state car insurance laws to allow personal vehicles to be used in car-sharing programs.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 42. 100558 [Urging the United States Department of Agriculture to Declare the Light Brown Apple Moth a Non-Actionable Pest]**
Sponsor: Alioto-Pier
Resolution urging the United States Department of Agriculture to declare the Light Brown Apple Moth a non-actionable pest in order to end the Light Brown Apple Moth eradication project that could expose San Franciscans to unacceptable and unnecessary levels of pesticide exposure.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 100550 [Committee of the Whole - Issuance of Revenue Bonds by the California Municipal Finance Authority - May 18, 2010]

Sponsor: Daly

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010, at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from April 27, 2010, to May 3, 2010, for reference by President to appropriate committee on May 11, 2010.

100364 [Major Encroachment for San Francisco State University to Place Utilities Under Font Boulevard]

Resolution granting a revocable major encroachment permit to San Francisco State University to occupy a portion of the public right-of-way to install and maintain private underground utilities crossing Font Boulevard to serve properties within Assessor Block 7304; making findings, including environmental findings and findings of consistency with the General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Public Works Department)

04/28/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100365 [Amendment to Agreement with Avaya, Inc. to Extend the Term and Increase the Amount of the Contract to \$13,367,321]

Resolution retroactively authorizing the Department of Technology to enter into the Fourth Amendment of an agreement with Avaya, Inc. and increasing the maximum expenditure under the contract to \$13,367,321. (Department of Technology)

05/03/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100556

[Petitions and Communications]

Petitions and Communications received from April 27, 2010, through May 3, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 11, 2010.

From Department of Public Works, submitting their Defective Sidewalk Repair Account Quarterly Report for the period of January 1, 2010, through March 31, 2010. (1)

From Department of Public Works, submitting their Adopt-A-Tree Account Quarterly Report for the period of January 1, 2010, through March 31, 2010. (2)

From T-Mobile, submitting notification letter for a cellular site at 810 Battery Street. (3)

From T-Mobile, submitting notification letter for a cellular site at 1160 Illinois Street. (4)

From T-Mobile, submitting notification letter for a cellular site at 1200 Mason Street. (5)

From T-Mobile, submitting notification letter for a cellular site at 1501 Lincoln Way. (6)

From Municipal Transportation Agency, regarding the request for proposal process for the current parking meter procurement, coin counting and collections contract. Copy: Each Supervisor (7)

From Municipal Transportation Agency, submitting their Operating Budgets for FY2010-2011, and FY2011-2012. Copy: Each Supervisor (8)

From Municipal Transportation Agency, regarding adjustment to their Operating Budgets for FY2011 and FY2012. Copy: Each Supervisor (9)

From US Army Corps of Engineers, submitting notice that the San Francisco Public Utilities Commission has applied for a Department of the Army permit to construct the Crystal Springs/San Andreas Transmission System Upgrade. (10)

From Arts Commission, submitting their Quarterly Expenditure Report ending March 31, 2010. (11)

From San Francisco Grand Jury, submitting notice that the San Francisco Grand Jury has released its report to the public entitled "Americans with Disabilities Act: Is San Francisco in Compliance?" Copy: Each Supervisor, Government Audit and Oversight Committee Clerk (12)

From Office of the Chief Medical Examiner, submitting the Annual Report for FY2009-2010. (13)

From Emil Lawrence, regarding unauthorized removal of taxi driver documents by an airport employee. Copy: Each Supervisor (14)

From Emil Lawrence, regarding a DAJA airport employee and new taxicab taxes. Copy: Each Supervisor (15)

From San Francisco International Airport, regarding proposal to impose a new privilege fee on off-airport parking lot operators, and plans to increase its own long-term parking rates in January 2011. Copy: Each Supervisor (16)

From concerned citizens, submitting opposition to proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070; and that many have cancelled their plans to visit San Francisco. Approximately 60 letters (17)

From S.F. Conventions and Visitors Bureau, submitting opposition to proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070; and that many have cancelled their plans to visit San Francisco. Approximately 160 letters (18)

From Luis, submitting support for proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. (19)

From Noah Schlager, submitting petition on behalf of the Urban School of San Francisco, urging action to ban all shark products, and support local shark and coastal conservation. (20)

From concerned citizens, regarding the Beach Chalet Soccer Fields Project in Golden Gate Park. File No. 100053 (21)

From concerned citizens, submitting opposition to appeal filed against the Planning Department's decision regarding the Nob Hill Masonic Center at 1111 California Street. File No. 100451, 37 letters (22)

From concerned citizens, submitting support for appeal filed against the Planning Department's decision regarding the Nob Hill Masonic Center at 1111 California Street. File No. 100451, 23 letters (23)

From Brent Marks, regarding paramedics and firefighters in San Francisco. (24)

From concerned citizens, submitting support for expanding parking meter hours to Sunday. 2 letters (25)

From concerned citizens, submitting opposition to expanding parking meter hours to Sunday. 5 letters (26)

From Verizon Wireless, submitting notification letter for a cellular site at 6221 Geary Boulevard. (27)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Commercial Rock Crabs. (28)

From Office of the Controller, submitting a Compliance Review Report of the Municipal Transportation Agency's Work Orders for FY2008-2009. Copy: Each Supervisor (29)

From State Fish and Game Commission, submitting the revised findings rejecting the petition to list the American Pika as a threatened species. (30)

From Hut Landon, suggesting a one-week shop local first experiment in San Francisco. (31)

From concerned citizens, commenting on a recent news article in the San Francisco Chronicle regarding city employee wages. 2 letters (32)

From Gabriel Grill, urging the Mayor and the Board of Supervisors to fund full-time service for the Park Branch Library and other branches yet to be renovated. (33)

From Mark Duran, expressing concerns relating to violence against Asian-Americans in San Francisco. (34)

From Zen Lee, thanking the Department of Public Works for fixing a damaged road section near the corner of 41st Avenue and Judah Street. (35)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, 8 letters. (36)

From Michael Crandell, submitting opposition to the proposed legislation concerning the sit/lie law. File No. 100233. (37)

From Susan Grady, submitting opposition to the proposed cell tower at Miraloma Community Church. (38)

From Kash, submitting support for public power in San Francisco. (39)

From Pamela Thompson, submitting the Office of Citizen Complaints First Quarter Statistical Report for 2010. (40)

From Samantha Shields, submitting her health concerns with a cell phone tower at the corner of Clayton and Deming Streets. (41)

From U.S. Army Corps of Engineers, regarding proposal to accept funds from the California High-Speed Rail Authority. (42)

From Aaron Goodman, commenting on a news article in the S.F. Examiner entitled the "F-line extension faces setback" planning concerns put funding for Fort Mason project at risk. (43)

From Jon Wollenhaupt, regarding artist Elaine Badgeley who was seriously injured in an accident caused by a cab driver running a red light. (44)

From Law Offices of Snell & Wilmer, on behalf of T-Mobile, concerning site permits for personal wireless service. File No. 100041, Copy: Land Use and Economic Development Committee Members and Clerk. (45)

From Nancy Cohrs, commenting on a news article in the Marina Times regarding San Francisco parks. (46)

From Carla Lehmann, regarding proposed Parkmerced development. (47)

From Mike Miller, regarding the amount of homeless individuals in San Francisco. (48)

From Norman Campbell, regarding Sharp Park Golf Course. (49)

From Patricia Tsang, urging the Department of Public Works to restore the public receptacles on Lake Street at Guadalupe Boulevard. (50)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, May 18, 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to consider Resolution Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State Office Buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

GOVERNMENT
DOCUMENTS DEPT

MAY - 7 2010

SAN FRANCISCO
PUBLIC LIBRARY

Pursuant to Government Code Section 6586.5(a)(2), notice is hereby given, with respect to the proposed issuance for the benefit of the California Municipal Finance Authority, or its subsidiary, affiliate or designee (Borrower) of revenue bonds of the Authority in one or more series in an amount not to exceed \$2,750,000,000 (Bonds). The proceeds of the Bonds will be used (1) to finance and/or refinance the acquisition of a state office buildings known as the San Francisco Utilities Commission Building, located at 505 Van Ness Avenue, San Francisco, California and/or the San Francisco Civic Center, located at 350 McAllister Avenue and 455 Golden Gate Avenue, San Francisco, California, in each case, to be leased on a long-term basis to the State of California through its Department of General Services; and (2) the balance, to finance and/or refinance similar projects outside the City and County, fund a reserve fund if required, and pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned and operated by the Borrower.

The Bonds and the obligation to pay principal of and interest thereon and any redemption premium with respect thereto do not constitute indebtedness or an obligation of the City and County, the Authority, the State of California or any political subdivision thereof, within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of any of them. The Bonds shall



be a limited obligation of the Authority, payable solely from certain revenues duly pledged therefor and generally representing amounts paid by the Borrower.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter will be available for public review on Thursday, May 13, 2010, pending approval of File No. 100550 by the Board of Supervisors on May 11, 2010.

A handwritten signature in black ink, appearing to read 'Angela Calvillo', with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board

DATED: May 6, 2010
PUBLISHED: May 9, 2010





BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 18, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAY 14 2010

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the April 20, 2010, Board Meeting Minutes.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third Board Meeting of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13**Recommendation of the Budget and Finance Sub-Committee**

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100496 **[Accept and Expend Grant - California Emergency Management Agency and Amendment to the Annual Salary Ordinance for FY2009-2010 - \$505,599]**
Sponsor: Dufty
Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of \$505,599 from the California Emergency Management Agency for a pilot program funded by Senate Bill 678 designed to improve outcomes for 18-25 year old probationers, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (0.25 FTE) in Class 8444 Deputy Probation Officer at the Department of Adult Probation.

05/11/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

2. 100498 **[Emergency Designation of the Director of Public Works, as Agent, to Apply for, Receive, and Expend Federal Disaster Relief Funds for the Great Highway]**
Sponsor: Chu
Resolution authorizing the Director of Public Works, to act as the agent of the City and County of San Francisco, as a non-state agency, to apply for, accept, and expend federal financial assistance under P.L. 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act to address the emergency condition of the severe erosion along the Great Highway.
3. 100499 **[Accept and Expend Grant - Green Business Tracking and Measurement Tool - \$74,500]**
Sponsor: Chu
Resolution authorizing the Department of the Environment of the City and County of San Francisco to accept funding in the amount of \$74,500 from the California Department of Toxic Substances Control to continue to develop and operate the green business tracking and measurement tool.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. 091251 **[Development Fee Collection Procedure; Administrative Fee]**
Sponsors: Mayor; Duffy, Daly and Mirkarimi
Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 85 percent of the total amount of fees due, or 80 percent of the total amount of fees due if the project is subject to payment of a neighborhood infrastructure impact development fee, to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings.

(Economic Impact.)

05/11/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100048 **[Amendment to Solar Energy Incentive Program]**
Sponsors: Daly; Mirkarimi and Mar
Ordinance amending the San Francisco Environment Code Sections 18.2, 18.4, 18.7-2, and 18.7-4, to: (1) require all systems receiving City incentives be installed by an individual, firm or organization qualified as a workforce development installer by the Office of Economic & Workforce Development, unless specified exceptions apply, and (2) eliminate increased incentives for residential properties in the case of systems installed by individuals trained under the City workforce development program.

05/11/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100330 **[Veterans Commons Special Use District - 150 Otis Street]**
Sponsors: Chiu; Mirkarimi
Ordinance adding Planning Code Section 249.46 to establish the Veterans Commons Special Use District for property located at 150 Otis Street, Block No. 3513, Lot No. 07; amending the City's Zoning Map, Sheet Nos. HT07 and SU07 to change the height district from 85 to 125 feet and reflect the boundaries of the Veterans Commons Special Use District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

05/11/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

7. 100358 **[Settlement of Lawsuit - Noah Booher - \$35,000]**
Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for \$35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. 100359 **[Settlement of Lawsuit – Betty C. Bullock - \$134,000]**
Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for \$134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
9. 100361 **[Settlement of Lawsuit – Assimina Mavromatis - \$29,500]**
Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for \$29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. 100515 **[Settlement of Lawsuit - Blackhawk Parent LLC - \$250,000]**
Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent LLC, against the City and County of San Francisco for \$250,000; the lawsuit entitled Blackhawk Parent LLC v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
11. 100422 **[Appointments, Medical Cannabis Task Force - Stephanie Tucker, David Goldman, Shona Gochenhaur, Mary Schroeder, Raymond Gamley, Martin Olive, Kevin Reed, Sarah Shrader, Patrick Goggin, Albert Blais, Joseph Erich Pearson, Michelle Aldrich and Maureen Burns]**
Motion appointing Stephanie Tucker, David Goldman, Shona Gochenhaur, Mary Schroeder, Raymond Gamley, Martin Olive, Kevin Reed, Sarah Shrader, Patrick Goggin, Albert Blais, Joseph Erich Pearson, Michelle Aldrich and Maureen Burns, terms to be determined, to the Medical Cannabis Task Force. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**
12. 100523 **[Appointment, Reentry Council - Ronald Sanders]**
Motion appointing Ronald Sanders, term ending July 17, 2011, to the Reentry Council. (Clerk of the Board)
- Question: Shall this Motion be APPROVED?**

13. 100524 [Appointments, Sunshine Ordinance Task Force - David Snyder, Richard Knee, Sue Cauthen, Allyson Washburn, Bruce Wolfe, Hanley Chan and Hope Johnson]
Motion appointing David Snyder, Richard Knee, Sue Cauthen, Allyson Washburn, Bruce Wolfe, Hanley Chan and Hope Johnson, terms ending April 27, 2012, to the Sunshine Ordinance Task Force, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

14. 100587 [Adopting Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report]
Sponsors: Chiu; Daly, Mirkarimi, Campos, Mar and Avalos
Motion adopting findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.
15. 100588 [Adopting Findings Related to the Conditional Use Appeal on Property Located at 1111 California Street]
Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18042, approving Conditional Use Application 2008.1072C on property located at 1111 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

16. 091275 [Development Impact and In-Lieu Fees]

Sponsors: Mayor; Dufty

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in-lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

05/11/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

17. 100470 **[Appropriating Surplus Revenues and Expenditures to Support Cost Overruns in the Department of Public Health for FY2009-2010 - \$20,807,609]**
Sponsor: Mayor
Ordinance appropriating \$20,807,609, including appropriating \$19,923,697 of surplus San Francisco General Hospital revenue and \$7,500 of Laguna Honda Hospital revenues, de-appropriating \$876,412 of Laguna Honda Hospital and non-hospital operations expenditures, to fund cost overruns in the Department of Public Health, including \$13,258,088 at San Francisco General Hospital, \$6,176,521 at Laguna Honda Hospital, and \$1,373,000 in non-hospital operations, for FY2009-2010.
- (Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
18. 100436 **[Amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program - \$50,799,281]**
Sponsor: Elsbernd
Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program increasing the contract amount from \$44,633,529 to \$50,799,281.
- (Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**
19. 100527 **[Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$20,014,497]**
Sponsor: Mayor
Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of \$8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of \$20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
20. 100442 **[Contract Approval with Global Tel*Link for Inmate Telephone Services]**
Resolution approving a contract for operating the Sheriff's Inmate Telephone Services, between Global Tel*Link and the City and County of San Francisco, acting by and through the Sheriff's Department. (Sheriff)
- Question: Shall this Resolution be ADOPTED?**

21. 100493 **[Finding of Fiscal Feasibility of Runway Safety Area Project at San Francisco International Airport]**
Resolution finding the proposed Runway Safety Area project at San Francisco International Airport fiscally feasible pursuant to Administrative Code Chapter 29. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

22. 100428 **[Endorsement of Term Sheet with the Treasure Island Homeless Development Initiative]**
Sponsors: Mayor; Daly, Chiu and Dufty
Resolution endorsing the Term Sheet for the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative.

Question: Shall this Resolution be ADOPTED?

23. 100429 **[Endorsement of Terms of Economic Development Conveyance Memorandum of Agreement for Treasure Island]**
Sponsors: Mayor; Daly, Chiu and Dufty
Resolution endorsing the Terms of Economic Development Conveyance Memorandum of Agreement for the Transfer of Former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority.

Question: Shall this Resolution be ADOPTED?

24. 100432 **[Endorsement of Update to Development Plan and Term Sheet for the Redevelopment of Treasure Island]**
Sponsors: Mayor; Daly, Chiu and Dufty
Resolution endorsing the Update to Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island with Treasure Island Community Development, LLC.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Duffy

25. 100006 **[Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]**
Sponsor: Chiu
Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

05/04/2010; REFERRED to the Public Safety Committee.

Question: Shall this Resolution be ADOPTED?
26. 100497 **[Authorizing the Emergency Medical Services Agency to Conduct Criminal Background Checks]**
Sponsor: Alioto-Pier
Resolution authorizing the San Francisco Emergency Medical Services Agency to conduct criminal background checks pursuant to state law for the purpose of certifying emergency medical technicians.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 100220, approved on May 4, 2010.)

Board of Supervisors Sitting as a Committee of the Whole

27. 100221 [Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain - Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project]
- Hearing of persons interested in or objecting to proposed Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel No. 13-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel No. 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel No. 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

28. 100222 [Authorizing the Acquisition of Real Property by Eminent Domain - Water System Improvement Program-Funded Project CUW 35901, New Irvington Tunnel Project]
- Sponsor: Mayor
- Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel No. 513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel No. 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel No. 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 100550, approved on May 11, 2010.)

Board of Supervisors Sitting as a Committee of the Whole

29. 100395 [Public Hearing - Approving the Issuance of Revenue Bond by California Municipal Finance Authority to Acquire the Public Utilities Commission Building]
Hearing of persons interested in or objecting to the proposed Resolution approving the issuance of revenue bonds by the California Municipal Finance Authority for the purposes of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

30. 100549 [Approving the Issuance of Revenue Bond by California Municipal Finance Authority to Acquire the Public Utilities Commission Building]
Sponsor: Daly
Resolution approving the issuance of revenue bonds by the California Municipal Finance Authority for the purposes of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

31. 100382**[Public Hearing - Appeal of Conditional Use for 725 Taraval Street]**

Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0531C), under Planning Code Sections 303, 711.83, and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at 725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408. (District 7) (Appellant: Robert Carson) (Clerk of the Board)

(Filed March 25, 2010 - Companion Measure to File Nos. 100383, 100384, 100385.)

04/20/2010; CONTINUED.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

32. 100383**[Affirming Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]**

Motion affirming the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

04/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

33. 100384 **[Reversing Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]**

Motion reversing the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street. (Clerk of the Board)

04/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

34. 100385 **[Preparation of Findings Related to the Conditional Use Appeal for 725 Taraval Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting. (Clerk of the Board)

04/20/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, May 17, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 18, 2010.

35. 100535 **[Authorization to Apply for a Grant for Strategic Growth Council Urban Greening]**

Sponsor: Campos

Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to augment the greening and storm water features of the Cesar Chavez Street redesign project.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Budget and Finance Sub-Committee at a Special Meeting on Tuesday, May 18, 2010, at 12:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 18, 2010.

36. 100399 [Contract Modification with Acumen Fiscal Agent, LLC, for the Jobs Now Program - \$53,995,000]

Sponsor: Mayor

Resolution approving the emergency declaration to modify the contract between the City and County of San Francisco and Acumen Fiscal Agent, LLC, to provide private employer based wage subsidy reimbursements under the City's Jobs Now Program for qualified Jobs Now participants during the period of March 25, 2010, to October 31, 2010, in the additional amount of \$44,000,000 for a total modified contract amount of \$53,995,000.

05/04/2010: RE-REFERRED to the Budget and Finance Sub-Committee. Privilege of the floor was granted to Cheryl Adams (City Attorney's Office), Ben Rosenfield (Controller), and Trent Rhorer (Human Services) who responded to questions raised throughout the discussion regarding File No. 100399.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 37 through 48

37. 100538 **[Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]**
Sponsor: Mar
Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.

05/04/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/11/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?
38. 100589 **[Grant Application - Mission Creek Park Corridor]**
Sponsors: Mayor; Maxwell
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Mission Creek Park Corridor.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
39. 100590 **[Grant Application - Hillpoint Park Open Space Project]**
Sponsors: Mayor; Maxwell
Resolution approving the application for Grant Funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Construction of the Hillpoint Park Open Space Project.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 100591 [Grant Application - Boedekker Park]**Sponsor: Mayor**

Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Boedekker Park.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 100592 [Grant Application - Cayuga Playground]**Sponsors: Mayor; Avalos**

Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Cayuga Playground.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 100593 [Opposing the Proposed Resumption of Commercial Whaling and Ten-Year Quotas for Gray Whales as Proposed by the International Whaling Commission]**Sponsors: Mirkarimi; Dufty and Maxwell**

Resolution urging President Barack Obama to direct the United States delegation to the annual meeting of the International Whaling Commission on June 21-25, 2010, in Agadir, Morocco, to oppose any agreements that allow commercial whaling or set quotas for commercial whaling.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 100594 [Proclaiming Martha Ryan Day - May 22, 2010]**Sponsor: Alioto-Pier**

Resolution honoring Martha Ryan, Executive Director of the Homeless Prenatal Program, on the 20th anniversary of the Homeless Prenatal Program and proclaiming May 22, 2010, as Martha Ryan Day in the City and County of San Francisco.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 100596 [Proclaiming Harvey Milk Day - May 22, 2010]**Sponsors: Dufty; Campos, Mirkarimi and Chiu**

Resolution proclaiming May 22, 2010, as Harvey Milk Day in the City and County of San Francisco.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 100597 **[Proclaiming World Hepatitis Awareness Day - May 19, 2010]**
Sponsor: Dufty
Resolution proclaiming May 19, 2010, as World Hepatitis Awareness Day in the City and County of San Francisco.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 100599 **[Accept and Expend Grant - To Hire up to Four Part-Time Upper Division Undergraduate or Graduate School Planning Interns - \$44,000]**
Sponsor: Elsbernd

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$44,000 from the Federal Transit Administration through CalTrans and the Metropolitan Transportation Commission for hiring up to four part-time upper division undergraduate or graduate school planning interns for the FY2009-2011.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 100601 **[Commending Mary Kay Henry]**
Sponsor: Alioto-Pier
Resolution commending Mary Kay Henry on her election as the President of the Service Employees International Union.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 100595 **[Waiver Permitting City Employees to Assist the Department of Elections with the June 8, 2010, Consolidated Primary Election]**

Sponsor: Chiu

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 8, 2010, Consolidated Primary Election.

05/11/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

49. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from May 4, 2010, to May 10, 2010, for reference by President to appropriate committee on May 18, 2010.

100455 [San Francisco Safe Drug Disposal Ordinance]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2210, to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources, and to provide for implementation, enforcement, fees, and penalties, and making environmental findings.

04/06/2010; ASSIGNED UNDER 30 DAY RULE to the Public Safety Committee.

04/26/2010; REFERRED TO DEPARTMENT. Referred to Planning Department for Environmental Review.

100517 [Settlement of Lawsuit - Susan Garduno - \$47,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100518 [Settlement of Lawsuit - Linda Ho - \$88,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for \$88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100519 [Settlement of Lawsuit - Victoria Sanchez - \$66,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/18/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100520 [Settlement of Lawsuit - Sally Seid - \$48,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100521 [Settlement of Lawsuit - Mary Anne Short and Robert Short]

Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for \$160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100559 [Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100560 [Settlement of Lawsuit - James A. Shotwell - \$167,500]

Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for \$167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

- 100561 [Settlement of Lawsuit – 609-611 Burnett Apartments LLC - \$128,700]**
Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC against the City and County of San Francisco for \$128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC v. City and County of San Francisco, et al. (City Attorney)

05/05/2010; RECEIVED AND ASSIGNED to the Rules Committee.

- 100562 [Settlement of Lawsuit - Melanie Wood and Timothy Wood - \$151,000]**
Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for \$151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)

05/10/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 4, 2010, to May 10, 2010, for reference by President to appropriate committee on May 18, 2010.

- 100456 [Agreement to Purchase Easements in Connection with the New Irvington Tunnel Project in Alameda County]**

Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to acquire for \$57,500 a permanent well easement and a temporary construction easement in Alameda County for the public purpose of constructing the San Francisco Public Utilities Commission New Irvington Tunnel Project; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the purchase is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

05/06/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

- 100567 [Official Advertising, FY2010-2011]**

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY 2010-2011. (Office of Contract Administration)

05/07/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

- 100568 [Outreach Advertising for FY2010-2011]**

Resolution designating El Reportero to be the outreach newspaper of the City and County for the Hispanic community, Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual community, and the West Portal Monthly to be the neighborhood outreach newspaper for the West Portal neighborhood, to provide outreach advertising for FY2010-2011. (Office of Contract Administration)

05/07/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100602 [Petitions and Communications]

Petitions and Communications received from May 4, 2010, through May 10, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 18, 2010.

From S.F. Conventions and Visitors Bureau, submitting opposition to proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. File No. 100256, 17 letters (1)

From concerned citizens, submitting opposition to proposed resolution calling for a boycott of the state of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. File No. 100256, 18 letters (2)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for the Holiday Inn Golden Gateway. (3)

From Supervisor Daly, submitting copy of letter sent to the Rules Committee supporting the appointment of Erich Pearson, as member of the Medical Cannabis Task Force. File No. 100422, Copy: Rules Committee Clerk (4)

From Office of the Mayor, submitting replacement pages 35-42 for the Mayor's proposed May Budget Book for FY2010-2011. (5)

From Department of Public Health, submitting the Hazardous Materials Spill Report. (6)

From SF Ocean Edge, regarding the Department of Recreation and Parks decision to do a full Environmental Impact Report on the Beach Chalet's Soccer Development in Golden Gate Park. (7)

From State Department of Parks and Recreation, submitting notice that the Geneva Office Building and Power House was placed on the National Register of Historic Places. Copy: Each Supervisor (8)

From California Beef Council, submitting their concerns regarding passage of legislation declaring each Monday as "Vegetarian Day" in San Francisco. (9)

From Richard Rhodes, submitting opposition to re-naming Third Street to "Willie Brown Boulevard" in San Francisco. (10)

From Public Utilities Commission, regarding the Solar Energy Agreements with the Recurrent Energy Company. File No. 090093, Copy: Each Supervisor (11)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapter 12B and 14B for Crown Industrial Supply. (12)

From Verizon Wireless, submitting notification letter for a cellular site at 6221 Geary Boulevard. (13)

From Verizon Wireless, submitting notification letter for a cellular site at 135 Mississippi Street. (14)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Automated License Data Systems and Commercial Applications. (15)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, 9 letters (16)

From concerned citizens, submitting opposition to the appeal filed against the Planning Department's decision regarding the Nob Hill Masonic Center at 1111 California Street. File No. 100451, 17 letters (17)

From concerned citizens, submitting support for appeal filed against the Planning Department's decision regarding the Nob Hill Masonic Center at 1111 California Street. File No. 100451, 8 letters (18)

From concerned citizens, submitting opposition to proposed placement of four cell antennas at 3281-16th Street. 2 letters (19)

From San Francisco Dog Owners, submitting petition requesting that entry into Golden Gate Dog Park be opened during all events. (20)

From Office of the Controller, submitting their Nine-Month Budget Report for FY2009-2010. (21)

From San Francisco Grand Jury, submitting report entitled Sharing "the Roadway: From Confrontation to Conversation." Copy: Each Supervisor, Government Audit and Oversight Committee Clerk (22)

From Robert Jacobs, suggesting the Police Crime Lab be placed under the Coroner's Office. (23)

From concerned citizens, submitting support for the community slate nominees of the San Francisco Medical Cannabis Task Force. File No. 100422, 6 letters (24)

From concerned citizens, regarding MUNI bus service. (25)

From concerned citizens, submitting support for keeping General Java and Café Nightingale open at San Francisco General Hospital. 10 letters (26)

From Laura Hamilton, submitting comments on the proposed performing arts center for jazz in San Francisco. (27)

From Matthew Feriss, regarding his experience on the California Street Cable Car. (28)

From Francisco Da Costa, concerning time to bring all people together in San Francisco. (29)

From Motus Trade, Inc., inquiring how his company can bid for the San Francisco payroll contract that is now outsourced to a Mesa Arizona company. 2 letters (30)

From David Fariello, regarding the Department of Public Health's FY2010-2011 proposed Budget. (31)

From concerned citizens, urging the Board of Supervisors to protect Supportive Housing services in the FY2010-2011 Budget. 12 letters (32)

From Bo Links, urging the Board of Supervisors to preserve Sharp Park. (33)

From Jean, concerning parking fees in Golden Gate Park. (34)

From Sylvia Tam-Lee, regarding her frustration toward the whole enrollment process to SF Unified School District. (35)

From Aaron Goodman, regarding the proposed Parkmerced development. (36)

From State Public Utilities Commission, submitting notice that on June 3, 2010, the State Public Utilities Commission will be issuing a decision regarding 2-1-1 California, seeking to be named the lead 2-1-1 agency in California. (37)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 25, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

MAY 21 2010

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
1:30 PM

Wednesday
11:00 AM

1st and 3rd Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the April 27, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100470 [Appropriating Surplus Revenues and Expenditures to Support Cost Overruns in the Department of Public Health for FY2009-2010 - \$20,807,609]

Sponsor: Mayor

Ordinance appropriating \$20,807,609, including appropriating \$19,923,697 of surplus San Francisco General Hospital revenue and \$7,500 of Laguna Honda Hospital revenues, de-appropriating \$876,412 of Laguna Honda Hospital and non-hospital operations expenditures, to fund cost overruns in the Department of Public Health, including \$13,258,088 at San Francisco General Hospital, \$6,176,521 at Laguna Honda Hospital, and \$1,373,000 in non-hospital operations, for FY2009-2010.

(Fiscal Impact.)

05/18/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100527 [Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$20,014,497]

Sponsor: Mayor

Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of \$8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of \$20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.

05/18/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

3. 100362 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, general security services, information booth services, and shuttle bus services (Airport); paratransit services, comprehensive facility security services, parking citation and collection system, meter coin counting and collection services, towing contract services, and transit shelter maintenance services (MTA); and janitorial services and security services (Port).

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

4. 100358 [Settlement of Lawsuit - Noah Booher - \$35,000]

Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for \$35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

05/18/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100359 [Settlement of Lawsuit - Betty C. Bullock - \$134,000]
Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for \$134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)
05/18/2010: PASSED. ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 100361 [Settlement of Lawsuit - Assimina Mavromatis - \$29,500]
Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for \$29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)
05/18/2010: PASSED. ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 100515 [Settlement of Lawsuit - Blackhawk Parent, LLC - \$250,000]
Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent, LLC, against the City and County of San Francisco for \$250,000; the lawsuit entitled Blackhawk Parent, LLC, v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney)
05/18/2010: PASSED. ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

8. 100638 [Adopting Findings Reversing the Exemption Determination for the 424 Francisco Street Project]
Motion adopting findings reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from further environmental review. (Clerk of the Board)
05/19/2010: ASSIGNED to the Board of Supervisors.
Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. 100030 [Amendment to Contract - AnsaldoBreda, Inc., for Light Rail Vehicle Systems Overhaul - Not to Exceed \$68,749,421]

Sponsors: Chiu and Duffy

Resolution approving Amendment One to Contract No. APT 591.01, light rail vehicle doors and steps reconditioning and systems rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rehabilitate the trucks of 34 light rail vehicles, at the cost of \$11,996,867 for a total contract amount not to exceed \$68,749,421 and to extend the term of the contract from five years to six years.

Question: Shall this Resolution be ADOPTED?

10. 100502 [2010 Equipment Lease Supplement No. 16 - Not to Exceed \$11,500,000]

Sponsor: Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 16 (Series 2010A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

11. 100534 [Water Revenue Bonds Issuance - 2010]

Sponsor: Mayor

Resolution approving the issuance of water revenue bonds and water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

Question: Shall this Resolution be ADOPTED?

12. 100488 [Recreation and Park Department - Coit Tower Non-Resident Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.06, to establish non-San Francisco Resident fees for the elevator at Coit Tower, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Sub-Committee Without Recommendation

Present. Supervisors Avalos, Mirkarimi, Elsbernd

13. 100469 **[Recreation and Park Department - Botanical Garden Non-Resident Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations**COMMITTEE REPORT**

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, May 20, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, May 25, 2010.

14. 100603 **[Appointment, Police Commission - Angela Chan]**
Motion confirming the Rules Committee's nomination of, and appointing, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission. (Clerk of the Board)
- Angela Chan, seat 2, succeeding Vincent Pan, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors for the unexpired portion of a four-year term ending April 30, 2014.
- Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 15 through 20

15. 100650 [Urging to Opt-Out of "Secure Communities"]
Sponsors: Mar; Campos, Avalos, Maxwell, Daly, Mirkarimi, Chiu and Dufty
Resolution urging the San Francisco Sheriff's Department, the Juvenile Probation Department and the San Francisco Police Department to opt-out of participating in the Police Immigration and Customs Enforcement collaboration program known as "Secure Communities."

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
16. 100651 [Calling on State, Federal, and International Lawmakers to Ensure Fair and Just Treatment of Domestic Workers]
Sponsors: Mar; Campos, Avalos, Chiu, Mirkarimi, Maxwell and Dufty
Resolution calling on State, Federal, and International Lawmakers to ensure fair and just treatment of domestic workers.

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

17. 100652 **[Opposing Assembly Bill 2650 - Regarding Unnecessary Regulations and Intrusion into the City and County's Authority]**
Sponsor: Daly
Resolution opposing Assembly Bill 2650, opposing unnecessary State intrusions on the City and County's land use and regulatory authority, and urging San Francisco's State Representatives to oppose this bill and any similar legislation to unnecessarily regulate the location of medical cannabis facilities in contravention of existing or future local ordinances.

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
18. 100653 **[Supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum]**
Sponsor: Chiu
Resolution supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum to protect and preserve the legacies of Asian and Pacific Islander cultures in America.

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
19. 100654 **[Gift for the Repair and Maintenance of the Crocker Amazon Football Field]**
Sponsors: Avalos; Elsbernd
Resolution authorizing and approving a Gift from Sacred Heart Cathedral Preparatory for up to \$30,000 for renovations of the Crocker Amazon football field; and \$39,884 for the salary of a half-time gardener for one year, to be made on a monthly basis.

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
20. 100655 **[Proclaiming Lyme Disease Awareness Month - May 2010]**
Sponsors: Alioto-Pier; Dufty
Resolution proclaiming May 2010, as Lyme Disease Awareness Month in the City and County of San Francisco.

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

21. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTIONS

Proposed resolutions received from May 11, 2010, to May 17, 2010, for reference by President to appropriate committee on May 25, 2010.

100605 [Contract Between the Department of Public Health and Toyon Associates, Inc., to Provide Regulatory Reporting, Reimbursement and Revenue Optimization Services]

Resolution authorizing the San Francisco Department of Public Health to extend the contract between the City and County of San Francisco and Toyon Associates, Inc., to provide regulatory reporting, reimbursement and revenue optimization services. (Public Health Department)

05/12/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100606 [California Environmental Quality Act Findings for San Francisco Public Utilities Commission Crystal Springs/San Andreas Transmission Upgrade Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs/San Andreas Transmission Upgrade Project, part of the Water System Improvement Program for the improvements to the regional water supply system, otherwise known as Project No. CUW37101, including the Mitigation Habitat Actions at two sites in San Mateo County; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

05/17/2000; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100607 [Adopting California Environmental Quality Act Findings for Sunnydale Sewer System Improvement Project]

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC23, Sunnydale Sewer System Improvement Project, in the Visitacion Valley and Sunnydale neighborhood areas, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

05/17/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100569 [Petitions and Communications]

Petitions and Communications received from May 11, 2010, through May 17, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 25, 2010.

From concerned State of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. File No. 100256, 60 letters (1)

From concerned citizens, submitting opposition to expanding parking meter hours to Sunday. 29 letters (2)

From Office of the Controller, submitting their Interim Report on alternatives to San Francisco's Business Tax. (3)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (4)

Jamie Cantwell, leaving

David Noyola, leaving

Judson True, assuming

From Capital Planning Committee, recommending proposed legislation regarding the Soft-Story Building Seismic Retrofit General Obligation Bond. Copy: Each Supervisor, Budget and Finance Clerk (5)

From Planning Department, regarding notice of availability of and intent to adopt a Mitigated Negative Declaration for 1 Loraine Court - San Francisco Columbarium. Copy: Each Supervisor, Land Use Committee Clerk (6)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, 5 letters (7)

From Michael Crandell, submitting opposition to the proposed legislation concerning the sit/lie law. File No. 100233 (8)

From Randick O'Dea & Tooliatos, regarding the acquisition of real property by eminent domain in Alameda County, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project, the New Irving Tunnel Project. File No. 100221, Copy: Each Supervisor (9)

From dogparkaccess@aol.com, requesting that entry into Golden Gate Dog Park be opened during all events. (10)

From Tomazu Nakada, urging the Board of Supervisors to help keep Sharp Park open. (11)

From Aaron Goodman, regarding the proposed Parkmerced development. (12)

From Lawrence Feigenbaum, urging the Board of Supervisors to charge an entry fee to out-of-town visitors (only) to allow the Botanical Gardens to continue to flourish and not be allowed to go into ruin through lack of funds. (13)

From concerned citizens, regarding the Municipal Transportation Authority Budget. 4 letters (14)

From concerned citizens, urging the Mayor and Board of Supervisors to fund the Mission Learning Center. 7 letters (15)

From Nina Sparer, submitting support for the community slate nominees of the San Francisco Medical Cannabis Task Force. File No. 100422 (16)

From concerned citizens, regarding medical cannabis dispensaries in San Francisco. 2 letters (17)

From Clifford McBride, requesting the Board of Supervisors pass legislation requiring night clubs to hire one private security guard per their 100 patrons to either walk and/or drive a 3 to 5 block radius of their club. (18)

From concerned citizens, regarding the recent Bay to Breakers race. 2 letters (19)

From John Won, regarding the increasing litter problem in San Francisco. (20)

From Zoe Taleporos, regarding the "Art on Market Street Kiosk Poster Series" Contest. (21)

From Ivan Pratt, regarding HIV patients and medical reform. (22)

From concerned citizen, concerning the Medtrive Medical Cannabis Club at 1933 Mission Street. (23)

From US Army Corps of Engineers, submitting a public notice that the San Francisco Public Utilities Commission has applied for a Department of the Army permit to permanently fill 0.45 acres and temporary impact 1.03 of San Mateo creek to construct a new stilling basin at the toe of the Lower Crystal Springs Dam to replace the existing undersized stilling basin. (24)

From Barry Stevens, urging the Board of Supervisors to ensure that the "CPMC" Master Plan meet the needs of the surrounding communities. (25)

From concerned citizens, urging the Board of Supervisors to protect Supportive Housing services in the FY2010-2011 Budget. 3 postcards (26)

From Barbara Ann May, urging the Board of Supervisors to keep the Arboretum free to all San Francisco residents and help keep Louis Restaurant at the Cliff House open. (27)

ADJOURNMENT

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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JUN - 3 2010

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Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 8, 2010 - 2:00 PM

Regular Meeting

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JUN 04 2010

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DAVID CHIU, PRESIDENT
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BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Dufty

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

1st and 3rd Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244,

RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the May 4, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100488 **[Recreation and Park Department - Coit Tower Non-Resident Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.06, to establish non-San Francisco resident fees for the elevator at Coit Tower, and making environmental findings.

05/25/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100456 **[Agreement to Purchase Easements in Connection with the New Irvington Tunnel Project in Alameda County]**
Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to acquire for \$57,500 a permanent well easement and a temporary construction easement in Alameda County for the public purpose of constructing the San Francisco Public Utilities Commission New Irvington Tunnel Project; adopting findings under the California Environmental Quality Act; adopting findings that the purchase is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

3. 100516 **[Lease Agreement with the California State Lands Commission]**
Resolution approving and authorizing a 25 year lease with the California State Lands Commission for a portion of the San Francisco Bay in Alameda and San Mateo Counties, at no rent, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

4. 100532 **[Accept and Expend Grant - National Endowment for the Arts Learning in the Arts Program for the San Francisco Arts Commission's WritersCorps Program - \$60,000]**
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$60,000 from the National Endowment for the Arts Learning in the Arts Program for general operating support for WritersCorps.

Question: Shall this Resolution be ADOPTED?

5. 100536 **[Accept and Expend Grant - Public Health Emergency Response Phase IV - \$849,417]**
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$849,417 from the California Department of Public Health, to assist with a project entitled "Public Health Emergency Response Phase IV" for the period of March 1, 2010 through July 30, 2010.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. 100298 [Freeway Maintenance Agreement for the Interchange at Highways 101 and 280]

Resolution approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for the interchange at Highways 101 and 280 and authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

7. 100299 [Freeway Maintenance Agreement for the Bay Bridge Anchorage Security Measures]

Resolution approving a Freeway Maintenance Agreement with the State of California apportioning maintenance responsibilities for the San Francisco-Oakland Bay Bridge Beale Street anchorage security measures and authorizing the Director of Public Works to execute said Agreement on behalf of the City. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

8. 100517 [Settlement of Lawsuit - Susan Garduno - \$47,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 100518 [Settlement of Lawsuit - Linda Ho - \$88,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for \$88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 100519 [Settlement of Lawsuit - Victoria Sanchez - \$66,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 100520 **[Settlement of Lawsuit - Sally Seid - \$48,500]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 100521 **[Settlement of Lawsuit - Mary Anne Short and Robert Short - \$160,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for \$160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 100559 **[Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - \$50,000]**
Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 100560 **[Settlement of Lawsuit - James A. Shotwell - \$167,500]**
Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for \$167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 100561 **[Settlement of Lawsuit - 609-611 Burnett Apartments, LLC - \$128,700]**
Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC, against the City and County of San Francisco for \$128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC, v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 100562 **[Settlement of Lawsuit - Melanie Wood and Timothy Wood - \$151,000]**
Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for \$151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 100563 [Appointments, Mental Health Board - Lara Arguelles, Ellis Joseph and Mary Ann Jones]
Motion appointing Lara Arguelles, Ellis Joseph and Mary Ann Jones, terms ending January 31, 2013, to the Mental Health Board. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
18. 100565 [Appointments, Sunshine Ordinance Task Force - James Knoebber and Nicholas Goldman]
Motion appointing James Knoebber and Nicholas Goldman, terms ending April 27, 2012, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
19. 100566 [Appointments, Children and Families First Commission - Veronica Chavez and Betty Robinson-Harris]
Motion appointing Veronica Chavez and Betty Robinson-Harris, terms ending April 29, 2014, to the Children and Families First Commission, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

20. 100663 [Adopting Findings Disapproving Conditional Use for Property Located at 725 Taraval Street]
Motion adopting findings disapproving the Planning Commission's approval of Conditional Use Authorization No. 2009.0531C which approved the installation of a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within an NC-2 Zoning District and a 40-X Height and Bulk District, located at 725 Taraval Street (Lot Nos. 052-058 in Assessor's Block No. 2408). (Clerk of the Board)

Question: Shall this Motion be APPROVED?

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

21. 100469 **[Recreation and Park Department - Botanical Garden Non-Resident Fees]**
Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.

05/25/2010; AMENDED.

05/25/2010; AMENDED.

05/25/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS**Recommendations of the Budget and Finance Sub-Committee**

Present: Supervisors Avalos, Mirkarimi, Elsbernd

22. 100582 **[Appropriating \$811,734 of Fund Balance for the Code Enforcement Rehabilitation Fund in Department of Building Inspection and Mayor's Office of Housing in FY2009-2010]**

Sponsor: Mayor

Ordinance appropriating \$738,240 of Code Enforcement Rehabilitation Fund unappropriated fund balance and deappropriating \$73,494 of prior year appropriations to support code enforcement activities in the Department of Building Inspection and the Mayor's Office of Housing in FY2009-2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 100640 **[Waiver of Temporary Street Space Occupancy Fee for the Mission Community Market]**

Sponsor: Campos

Ordinance waiving the permit fee in Public Works Code Section 724.1(b) for temporary street space occupancy on certain blocks of 22nd Street on Saturday, June 19, 2010, as part of a fundraiser to launch the Mission Community Market.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 100644 [Contract Amendment - Serco, Inc., for Parking Meter Collection and Management Services - Not to Exceed \$77,300,000]
Sponsor: Chiu
Resolution approving the ninth amendment to an agreement with Serco, Inc., for parking meter collection and management services, to extend the term by two years and increase the contract amount by \$16,800,000 for a total contract amount not to exceed \$77,300,000.
(Fiscal Impact)
Question: Shall this Resolution be ADOPTED?
25. 100646 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed \$10,000,000]
Sponsor: Dufty
Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$10,000,000 to finance various capital facilities owned or leased by Children's Day School.
Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

26. 100104 [Retailers' Duty to Disclose Specific Absorption Rate Values for Cell Phones]
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1105, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.
(Supervisor Elsbernd dissented in Committee)
Question: Shall this Ordinance be FINALLY PASSED?

24. 100644 [Contract Amendment - Serco, Inc., for Parking Meter Collection and Management Services - Not to Exceed \$77,300,000]
Sponsor: Chiu
Resolution approving the ninth amendment to an agreement with Serco, Inc., for parking meter collection and management services, to extend the term by two years and increase the contract amount by \$16,800,000 for a total contract amount not to exceed \$77,300,000.
(Fiscal Impact.)
Question: Shall this Resolution be ADOPTED?
25. 100646 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed \$10,000,000]
Sponsor: Dufty
Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$10,000,000 to finance various capital facilities owned or leased by Children's Day School.
Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

26. 100104 [Retailers' Duty to Disclose Specific Absorption Rate Values for Cell Phones]
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1105, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.
(Supervisor Elsbernd dissented in Committee)
Question: Shall this Ordinance be PASSED ON FIRST READING?

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Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

**27. 090906 [Planning - Uses Permitted in R Districts - Double Density for Senior Housing]
Sponsor: Chiu**

Ordinance amending the Planning Code by adding Section 102.6.1 to create a definition related to housing for seniors; amending Planning Code Section 209.1(m) related to the Uses Permitted in R Districts - Dwelling Zoning Control Table to update the requirements for obtaining double density for providing senior housing and, adding Section 209.1(o) to require, in certain circumstances, a conditional use authorization; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 100364 [Major Encroachment for San Francisco State University to Place Utilities Under Font Boulevard]

Resolution granting a revocable major encroachment permit to San Francisco State University to occupy a portion of the public right-of-way to install and maintain private underground utilities crossing Font Boulevard to serve properties within Assessor Block No. 7304; making findings, including environmental findings and findings of consistency with the General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Duffy

**29. 100529 [Creation of Neighborhood Community Justice Task Force]
Sponsors: Chiu; Maxwell and Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by adding Sections 5.70 through 5.75, to create a Neighborhood Community Justice Task Force to make recommendations to the Board of Supervisors regarding the creation of restorative and community justice programs; provide for the Task Force's membership, organization, and duties; and set a sunset date for the Task Force.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Public Safety Committee Without Recommendation

Present: Supervisors Chiu, Mirkarimi, Duffy

30. 100233 **[Prohibition on Sitting or Lying on Public Sidewalks]**
Sponsors: Mayor; Alioto-Pier
Ordinance amending San Francisco Police Code by adding Section 168 to prohibit sitting or lying down upon a public sidewalk during specified hours, and with exceptions for the disabled and others.

(Supervisor Duffy dissented in Committee)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

31. 100437 **[Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]**
Sponsors: Mar; Campos and Alioto-Pier
Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

32. 100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed 3/1/10; Companion Measure to File Nos. 100253, 100254, 100255.)

04/13/2010; CONTINUED.

05/11/2010; CONTINUED.

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

33. 100253 [Affirming the Exemption Determination for 100 - 32nd Avenue]

Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010; CONTINUED.

05/11/2010; CONTINUED.

Question: Shall this Motion be APPROVED?

34. 100254 **[Reversing the Exemption Determination Issued for 100 – 32nd Avenue]**
Motion reversing the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010, CONTINUED

05/11/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

35. 100255 **[Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

04/13/2010, CONTINUED.

05/11/2010, CONTINUED.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, June 3, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 8, 2010.

36. 100525 **[Reappointment, Police Commission - Joseph E. Marshall]**
Motion confirming the Mayor's nomination of, and reappointing, Joseph E. Marshall to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2014. (Mayor)

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - April 28, 2010.)

Question: Shall this Motion be APPROVED?

37. 100681 **[Appointment, Juvenile Probation Commission - Joseph Arellano]**
Motion rejecting the Mayor's appointment of Joseph Arellano to the Juvenile Probation Commission, for the term ending January 15, 2014.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2010.)

Question: Shall this Motion be APPROVED?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, June 7, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 8, 2010.

38. 100648 [Accept and Expend Grant - Caltrans Community Design Process for Cesar Chavez Street - \$250,000]

Sponsors: Mayor; Maxwell, Campos and Duffy

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of \$250,000 from Caltrans for the period February 16, 2010, through February 28, 2012, in order to conduct a community design process for Cesar Chavez Street.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 39 through 45

39. 100650 [Urging to Opt-Out of "Secure Communities"]
Sponsors: Mar; Campos, Avalos, Maxwell, Daly, Mirkarimi, Chiu and Duffy
Resolution urging the San Francisco Sheriff's Department, the Juvenile Probation Department and the San Francisco Police Department to opt-out of participating in the Police Immigration and Customs Enforcement collaboration program known as "Secure Communities."

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/25/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?
40. 100652 [Opposing Assembly Bill 2650 - Regarding Unnecessary Regulations and Intrusion into the City and County's Authority]
Sponsor: Daly
Resolution opposing Assembly Bill 2650, opposing unnecessary State intrusions on the City and County's land use and regulatory authority, and urging San Francisco's State Representatives to oppose this bill and any similar legislation to unnecessarily regulate the location of medical cannabis facilities in contravention of existing or future local ordinances.

05/18/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/25/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?
41. 100666 [Accept and Expend Grant - State Food and Agricultural Projects - \$11,188.77]
Sponsor: Maxwell
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of \$11,188.77 from the California Department of Food and Agriculture for the period of July 1, 2010, through June 30, 2011.

05/25/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 100667 **[Proclaiming Elizabeth Rojas-Colville Day - June 24, 2010]**
Sponsor: Daly
Resolution proclaiming June 24, 2010, as Elizabeth Rojas-Colville Day in the City and County of San Francisco.

05/25/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
43. 100668 **[Enterprise Zone Targeted Employment Area]**
Sponsor: Chiu
Resolution approving the boundaries of the City and County of San Francisco Enterprise Zone Targeted Employment Area.

05/25/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
44. 100682 **[Committee of the Whole - Elimination and/or Reduction of Health Care Services (Beilenson Hearing) - June 15, 2010, at 3:00 p.m.]**
Sponsor: Avalos
Motion scheduling the Board to sit as a Committee of the Whole to consider the elimination and/or reduction of health care services (Beilenson Act), to be held on June 15, 2010, at 3:00 p.m.

06/02/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?
45. 100698 **[Final Map 4025 - 301 King Street]**
Motion approving Final Map 4025, a four lot airspace subdivision with one lot being approved for a maximum of 313 residential condominium units, being a merger and re-subdivision of Lot Nos. 7 and 10 of Assessors Block No. 8705, located at 301 King Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

05/19/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

46. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from May 18, 2010, to May 28, 2010, for reference by President to appropriate committee on June 8, 2010.

100689 [Settlement of Lawsuit - Nelson A. Estival - \$57,500]

Ordinance authorizing settlement of the lawsuit filed by Nelson A. Estival against the City and County of San Francisco for \$57,500; the lawsuit was filed on July 24, 2008, in San Francisco Superior Court, Case No. CGC 09-477871, entitled Estival v. City and County of San Francisco, et al. (City Attorney)

05/20/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100690 [Settlement of Lawsuit - Anthony Landry - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Anthony Landry against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 17, 2008, in the San Francisco Superior Court, Case No. CGC 08-744565, entitled Anthony Landry v. City and County of San Francisco. (City Attorney)

05/28/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100691 [Settlement of Lawsuit - Bayshore Sanitary District - \$407,000]

Ordinance authorizing settlement of the lawsuit entitled Bayshore Sanitary District v. City and County of San Francisco, et al., filed on November 21, 2007, in San Francisco Superior Court, Case No. 07-469434. Pursuant to the proposed settlement, the City will execute a revenue refund adjustment for the Bayshore Sanitary District's sewer services billings in the amount of \$407,000. In return, the Bayshore Sanitary District will implement measures to ensure that future errors in measuring wastewater flow are promptly detected and corrected and limit its recovery of any overcharges due to equipment error in the future. (City Attorney)

05/28/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100693 [Mission Bay North-Block N1 Public Infrastructure Improvements]

Ordinance accepting of the irrevocable offer of additional property along Townsend Street, King Street, and Fourth Street and the irrevocable offer of public infrastructure improvements associated with Mission Bay North Block N1, including acquisition facilities on Third Street, Townsend Street, King Street, and Fourth Street; declaring such areas as shown on official Department of Public Works maps as open public right-of-way; designating such areas and improvements for street and roadway purposes; designating street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay North Redevelopment Plan; accepting Department of Public Works Order No. 178,676; and authorizing official acts in connection with this Ordinance. (Public Works Department)

05/28/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 18, 2010, to May 28, 2010, for reference by President to appropriate committee on June 8, 2010.

100687 [Agreement to Purchase Permanent Subsurface Easements and Temporary License Agreements to Enter and Use Property for the Sunnydale Sewer System Improvement Project totaling \$2,459,664]

Resolution approving and authorizing agreements for the acquisition of the following real property rights required for the Sunnydale Sewer Improvement Project No. CENMSCIC2362 (the "Project") totaling \$2,459,664: (1) permanent subsurface sewer easements over portions of San Francisco APN 4991/24 and 4991/65 comprising 11,677.7 square feet, (2) permanent subsurface sewer easements over portions of San Francisco APN 5100/3, 5101/7 and 5102/9 comprising 24,468 square feet, (3) a temporary 18-month License with a 6-month option term over San Francisco APN 4991/24, 4991/61, 4991/65 comprising 47,568 square feet, and 22,215 square feet over the contiguous Brisbane APN 005-153-030, and (4) a temporary 18-month License with a 6-month option term over portions of San Francisco APN 5100/3 and 5107/1 comprising 24,613.7 square feet; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

05/24/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100688 [Agreement to Purchase Permanent Subsurface Easements for the Sunnydale Sewer Improvement Project totaling \$174,001]

Resolution approving and authorizing agreements for the acquisition of permanent subsurface sewer easements required for the Sunnydale Sewer Improvement Project No. CENMSCIC2362 (the "Project") over portions of San Francisco APN 5104/4, 4991/7/8, 4991/9 and 4991/68 from Recology Properties, Inc. (fka Macor, Inc.) and Recology San Francisco (fka SF Recycling & disposal, Inc./fka Sanitary Fill Co.) totaling \$174,001., comprising 31,826.19 square feet; adopting findings under the California Environmental Quality Act ("CEQA"); adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

05/24/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100692 [Lease of Port Real Property - Pier 26 Annex]

Resolution approving Port Commission Lease No. L-14796 with IDEO, LLC for office space located at Pier 26 Annex within the Southern Waterfront with a sixty month term and a sixty month option. (Port)

05/28/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100748 [Petitions and Communications]

Petitions and Communications received from May 18, 2010, through May 28, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 8, 2010.

From concerned citizens, submitting opposition to proposed resolution calling for a boycott of the State of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. File No.100256, Approximately 300 letters (1)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. Approximately 300 letters (2)

From Sandy Weil, suggesting eight hour parking meters be installed at the zoo on Sloat Boulevard. (3)

From Police Department, submitting request for waiver of Administrative Code Chapter 12B for Fleetcar Technologies. (4)

From concerned citizens, regarding the proposed plan to build a disc-golf course in McLaren Park. 2 letters (5)

From Municipal Transportation Agency, submitting copy of letter sent to constituent regarding an increase in parking rates at City facilitated garages. Copy: Supervisor Alioto-Pier (6)

From concerned citizens, urging the Mayor and Board of Supervisors to fund the Mission Learning Center. 3 letters (7)

From Kelly Leathers, submitting copy of petition sent to Matier and Ross regarding coverage of John O'Connell High School. (8)

From Department of Public Health, submitting the number of AIDS cases reported through March 2010. (9)

From Office of the Controller, submitting their audit report for the Police Department's Property Control Unit. Copy: Each Supervisor (10)

From Office of the Controller, submitting their audit report for the Sunol Valley Golf and Recreation Company. Copy: Each Supervisor (11)

From Patrick Monette-Shaw, regarding Laguna Honda Hospital. (12)

From Webster Bones, regarding the Department of Human Resources reform. (13)

From La Tonya Broughton, regarding the management at the Recreation and Parks Department. (14)

From Abdalla Megahed, submitting copy of letter sent to President Obama regarding his visit to San Francisco. (15)

From Office of the Mayor, submitting notice regarding transfer of function under Charter Section 4.132. Copy: Each Supervisor (16)

From Daniel Pong, commenting on MUNI's proposed budget. (17)

From concerned citizens, commenting on the 2010 Bay to Breakers event. 5 letters (18)

From State Office of Historic Preservation, submitting notice that the Temple Sherith Israel was placed on the National Register of Historic Places. Copy: Each Supervisor (19)

From Kimble McSweeney, urging the Board of Supervisors to keep the Tonga Room open. (20)

From Don, inquiring when San Francisco will boycott China for human rights violations. (21)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. 5 letters (22)

From Office of the Mayor, submitting notice that the Mayor will be out of State from Thursday, May 27, 2010, through Monday, May 31, 2010. Supervisor Sean Elsbernd will serve as Acting-Mayor. Copy: Each Supervisor (23)

From Clerk of the Board, the following individual has submitted a Form 700 Statement of Economic Interest: Catherine Rauschuber, legislative aide to Supervisor Chiu, assuming. (24)

From Jill Linwood, submitting opposition to proposed placement of four cell antennas in the steeple at St. Matthew's Church at 3281-16th Street. (25)

From Blair Camp, regarding the mural being painted on a building at the corner of Fell and Scott Streets. (26)

From concerned citizens, urging the Board of Supervisors to ensure that the California Pacific Medical Center Master Plan meet the needs of the surrounding communities. 6 letters (27)

From concerned citizens, submitting opposition to the proposed plan to charge entrance fees for entrance to the Strybing Arboretum/Botanical Garden. File No. 100469, 2 letters (28)

From S.F. Public Utilities Commission, regarding the California Public Utilities Commission certification of San Francisco's Community Choice Aggregation Program Implementation Plan. (29)

From Becky Jennings, submitting opposition to 7-Eleven's proposal to open a store at 30th and Mission Streets. (30)

From Erik Gordon, regarding the beautiful plant life that was recently installed on the median strip leading into the Broadway Tunnel. (31)

From concerned citizens, urging the Board of Supervisors to protect Supportive Housing services in the FY2010-2011 Budget. 7 letters (32)

From Nudcot, regarding the recent statement by Human Rights Watch and Amnesty International concerning the treatment of migrants in Mexico. (33)

From Francisco Da Costa, regarding Candlestick Park and Hunter's Point Shipyard and the Public Utilities Commission. (34)

From concerned citizens, submitting support for Mayor Newsom's right to know cell phone legislation. 2 letters (35)

From Eden Niemela, regarding access to MUNI bus line 2X on May 22, 2010. (36)

From SF Local Agency Formation Commission, regarding status of Community Choice Aggregation Contract. (Reference No. 20100420-006) (37)

From James Corrigan, regarding the fake "On Official Fire Department Business" signs that are used by some to gain free parking advantages. (38)

From Mark Rand, submitting opposition to the 10% cut in MUNI service. (39)

From Michael Demetrious, concerning people looking through his trash for bottles to recycle. (40)

From Lawrence Feigenbaum, thanking the Board of Supervisors for voting to save the Botanical Gardens by charging an entry fee to out-of-town visitors. (41)

From concerned citizens, submitting opposition to proposed Charter Amendment regarding Board of Education electors regardless of whether the residents are United States citizens. File No.100635, 16 letters (42)

From concerned citizens, submitting opposition to proposal to cut the Citywide Case Management and Community Focus budget by 15%. 2 letters (43)

From Aaron Goodman, regarding predatory equity lending in San Francisco. (44)

From Jim Skanberg, commenting on the unfair parking ticket practices in San Francisco. (45)

From Anne Pagan, regarding college funding for San Francisco students. (46)

From Cecilia Ovando, regarding the Health Service System Plan and Contribution Rates. File No.100134 (47)

From Office of the Mayor, submitting appointments to the following Commissions: (48)

Art Commission

Jessica Silverman, term ending January 15, 2011

Golden Gate Park Concourse Authority Board

Anderson Pugash, term ending March 25, 2011

Mark Dunlop, term ending March 25, 2013

Murat Eskicioglu, term ending March 25, 2014

Stefanie Roumeliotes, term ending March 25, 2014

Mel Lee, term ending March 25, 2011

Isabelle Farrow, term ending March 25, 2011

Juvenile Probation Commission

Julian C.L. Chang, term ending January 15, 2014

War Memorial Board of Trustees

Gina Moscone, term ending January 2, 2013

Paul Pelosi, Sr., term ending January 2, 2013

Charlotte Mailliard Shultz, term ending January 2, 2013

Wilkes Bashford, term ending January 2, 2013

Nancy Bechtie, term ending January 2, 2013

From Office of the City Administrator, submitting the Capital Plan report for FYs2011-2012 through 2019-2020. (49)

From Michael Smith, regarding funding for the Youth Jobs Program. (50)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

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NOTICE OF PUBLIC HEARING
PROPOSED REDUCTIONS IN HEALTH SERVICES
FISCAL YEAR 2010-2011

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, June 15, 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

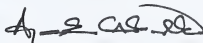
Subject: The San Francisco Board of Supervisors will conduct a Beilenson Hearing pursuant to Section 1442.5 of the California Health and Safety Code (Beilenson Act) on the elimination and/or reduction of health care services to the indigent population provided by the City and County of San Francisco for FY2010-2011.

At this hearing, the Board of Supervisors of the City and County of San Francisco will consider the impact of the proposed elimination and reduction of health services on the health care needs of the county's indigent population. Public testimony, both oral and written, will be accepted at this hearing.

The San Francisco Department of Public Health has prepared the attached list of proposed budget reductions that are subject to Beilenson Hearing. The list includes the elimination and reduction of health services to the county's indigents. Although California Health and Safety Code Section 1442.5 does not require notice on the elimination and reduction of mental health and substance abuse services, the Department of Public Health has included these changes in its attached list. Further information on the proposed reductions is available by telephoning the Department of Public Health at 554-2610.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be

made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.

A handwritten signature in black ink, appearing to read 'Angela Calvillo', with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board

DATED: June 1, 2010
POSTED: June 1, 2010



AVISO DE AUDENCIA PUBLICA

PARA REDUCIR EL PROSUPUESTO PARA SERVICIOS DE SALUD IMPACTANDO AÑO FISCAL 2010-2011

La Mesa Directiva de Supervisores de San Francisco llevara a cabo una Audiencia Beilenson según la sección 1442.5 del Código de Salud y Seguridad de California (Ley Beilenson) sobre la eliminación y reducción de servicios de salud proveídos por la Ciudad y Condado de San Francisco para las persona indigentes y desamparados. Esta audiencia impacta el año 2010-2011 y se llevara a cabo:

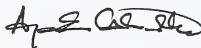
Fecha: Martes, 15 de Junio, 2010

Hora: a las 3:00 p.m.

Ubicación: Camara Legislativa de el Ayuntamiento, Cuarto 250, #1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Durante esta audiencia, los Supervisores consideraran el impacto que tendrán los propuestos cortes en servicios de salud para las persona indigentes y desamparados. En esta audiencia se aceptaran testimonios públicos, escritos y orales.

El Departamento de Salud Publica ha preparado una lista de las propuestas reducciones al presupuesto que son sujetos a la Ley Beilenson. Esta lista incluye la eliminación y reducción de servicios médicos y servicios para las personas indigentes y desamparadas de este condado. El Departamento de Salud Publica les provee esta información como una cortesía. Para más información sobre las reducciones propuestas su puede obtener más información llamando al Departamento de Salud Publica al (415) 554-2610.



Angela Calvillo
Secretaría de la Mesa Directiva de Supervisores

FECHADO: 1 de Junio, 2010

PUBLICADO: 1 de Junio, 2010

THE HISTORY OF THE

REIGN OF HENRY THE FIRST

BY JOHN GILBERT FROTHINGHAM

IN TWO VOLUMES

VOLUME THE FIRST

LONDON: PUBLISHED BY J. JOHNSON, ST. PAULS CHURCH-YARD, 1780.

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THE HISTORY OF THE

REIGN OF HENRY THE FIRST

BY JOHN GILBERT FROTHINGHAM

公聽會通告

2010~2011年度削減醫療服務

三藩市參事會將舉行關於削減醫療服務提案之公聽會。

日期：星期二，2010 年6 月 15日

時間：下午 3: 00

位置：立法會議廳,市政廳, 250室1 Dr. Carlton B. Goodlett Place, San Francisco, CA

屆時敬請各界人士出席參與討論該提案對無醫藥保健人士之影響。詳情請參閱三藩市衛生局削減醫療服務之摘要(英語附錄)或致電554-2610查詢。

出席者可參與發言或提出書面意見。該公聽會是按加州醫療及保健條例Section 1442.5之Beilenson規定而舉行,削減項目將包括醫療,心理衛生及防止濫用藥物服務。該提案將考慮完全取消或削減以上多項服務。

無法出席人士可寄書面意見給市參事議會秘書, Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, CA 94102.



Angela Calvillo
市參事議會秘書

日期：2010年 6月 1日

公佈：2010年 6月 1日



| SAN FRANCISCO BOARD OF SUPERVISORS - BELLUSCHIO HEARING NOTICE PROPOSED REDUCTIONS TO HEALTH SERVICES FOR FISCAL YEAR 2010-11 | | | | | | |
|---|--|-------------------------------|----------------------------------|------------------------------------|-------------------------------------|---|
| Facility | Initiative | 2010-11 Position Change | 2010-11 Expend Incr/(Decr) | 2010-11 Revenues Incr/(Decr) | Total General Fund Savings | Program Change Description |
| San Francisco General Hospital - 1001 Potrero Ave, SF CA 94110 | Confronting New Acute Psychiatric Patients | (14,200) | (1,607,566) | | (1,621,766) | Effective 7/1/2010, following a successful initiative in 2009-10, the General Fund unit at SFGH will be realigned to cohort (group) non acute psychiatric patients together. |
| Trauma Recovery Center, 2727 Mariposa St, Suite 100, SF CA 94110 | Trauma Recovery Center (TRC) Reduction | | (384,454) | | (384,454) | Effective 7/1/10, The Trauma Recovery Center will reduce their contract from \$1.1 million to \$750,000 annually. DPH staff will work with TRC to determine costs savings and the transfer of services to existing Community Behavioral Health Programs. |
| Community Awareness and Treatment Services, 1171 Mission Street, SF 94103 | Reprogramming mobile assistance patrol transportation program. | - | (300,000) | | (300,000) | Effective 8/1/10, Transportation services provided to other clients will not be reduced. Services will focus on evening and day transportation services will focus on moving clients between emergency departments and community medical respite and community crisis stabilization programs. |
| San Francisco AIDS Foundation, 995 Market Street, 2nd Floor, SF CA 94103 | HIV Benefit Counseling and Advocacy | - | (230,133) | | (230,133) | Effective 7/1/10, Reduction to benefits counseling contract and not direct health services. There are more in-depth services remain available within the HIV service provision system where clients can be served. |
| ±SHE through the UCSF Women's Clinic at four locations: (1) St. James Infirmary at 1372 Mission Street SF, CA 94103; (2) UCSF Women's Specialty Clinic at 400 Parnassus Avenue SF, CA 94143; (3 and 4) two different clinics both located at SF General Hospital at 94110; (5) Latino Street Building 80 SF, CA 94110 | HIV Prevention Program Reductions | - | (214,192) | | (214,192) | Effective 7/1/10, Two programs will be reduced in HIV Prevention: 1. UCSF Women's Specialty Clinic provides prevention with postnatal (PWP) to HIV positive women which serves a lower risk population. Services provided under UCSF's transfemoral program will be preserved. 2. UCSF AIDS Health Project provides training that is duplicative of a State Office of AIDS initiative. |
| UCSF/AIDS Health Project at 1820 Market St SF, CA 94102 | Prioritize Mental Health Services to Persons with Serious Mental Illness | (6,472) | (734,241) | | (734,241) | Effective 9/1/10, This proposal would limit ongoing mental health services for indigent clients to only those clients who have a serious mental illness. Acute services would remain available for all clients, as needed. This would require a legislative change to the existing ordinance. |
| Baker, Bixby, - 600 Townsend, Suite 200, SF CA 94107 | 10% Reduction to HIV/AIDS Housing Subsidies | - | (559,360) | | (559,360) | DPH currently spends \$5,593,603 on housing subsidies for people living with HIV/AIDS for a total of 1,532 clients. The program is currently funded by a combination of federal CARE dollars and General Fund, until a few years ago when HRSA policy changes prohibited the funding of housing subsidies with CARE funds and all HIV/AIDS housing subsidies were shifted to the General Fund. Given the current financial crisis, the General Fund funding is being reduced through a combination of attrition and/or modest increases of the tenants rent contribution. The overall program is preserved with minimal impact on services. |
| Catholics Charities - 180 Howard Street, Suite 100, SF CA 94105 | | | | | | |
| Larkin Street Youth Services - 701 Sutter Street, SF CA 94109 | | | | | | |
| San Francisco AIDS Foundation - 995 Market Street, SF CA 94103 | | | | | | |
| Chinatown Community Development Center, - 863 Clay Street, SF CA 94111 | Eliminate General Fund support for SRO housing collaboratives | - | (445,089) | | (445,089) | The SRO Collaborative provides referrals for legal services and other social services based on a resident's need. While these outreach services are helpful, DPH is prioritizing core health services. \$854,901 will still be maintained by the Department of Building Inspection. |
| Odessa Street Community Services - 938 Valencia Street, SF CA 94110 | | | | | | |
| Transcendental Housing, Clinic - 126 Hyde Street, SF CA 94102 | | | | | | |
| This proposal will affect approximately 1,532 unduplicated clients. | | | | | | This proposal will affect approximately 1,532 unduplicated clients. |
| This proposal will affect approximately 265 unduplicated clients. Any clients with more serious or pressing adjustment disorders will be referred to other CBHS behavioral health programs and will be prioritized according to acuity. | | | | | | This proposal will affect approximately 841 unduplicated clients. |
| This proposal will affect approximately 282 unduplicated clients. | | | | | | This proposal will affect approximately 282 unduplicated clients. |
| The UCSF Women's Specialty Clinic reduction proposal will affect 48 unduplicated clients. The UCSF AIDS Health Project will result in the reduction of training for 216 HIV testing counselors. | | | | | | This proposal will affect approximately 1,532 unduplicated clients. |



| Facility | Initiative | 2010-11 Position Change | 2010-11 Expend Incr/(Decr) | 2010-11 Revenues Incr/(Decr) | Total General Fund Savings | Program Change Description | Estimated Number of Persons Affected |
|---|--|-------------------------------|---|------------------------------------|--------------------------------------|--|--|
| Bayview Hunter Point Foundation, 150 Executive Park, Suite 2800, SF Family Services Agency of SF, 1010 Gough St Hyde Street, 134 Golden Gate Ave., SF Instituto Familiar de la Raza, SF 2819 Instituto Familiar de la Raza, SF 2819 Richmond Area Multi-Services, 3826 Balboa Street, SF UC Citywide Case Management and Community Focus, 982 Mission Street, SF Westside Community Mental Health Services, 1153 Oak Street, SF Horizons Unlimited, 440 Potrero Hill, SF Life Center, 333 Valencia Street, Suite 222, SF Positive Directions Equals Change, 4718 3rd Street, SF New Leaf, 1390 Market Street, Suite 800, SF Walden House, 1550 Evans Avenue, SF | Reduction to Community Behavioral Health Services - Outpatient Services | - | (4,122,679) | TBD | (4,122,679) | The amount allocated to fund contracts awarded under a recently issued RFP for \$11.8 million in mental health and substance abuse was reduced, resulting in funding reductions for the contracts awarded as outlined. There may be further reductions due to a loss of Short Doyle Medi-Cal revenue associated with the reductions, to be determined. | This proposal will affect the following number of unduplicated clients: Bayview Hunter's Point Foundation - 80 Family Services Agency of SF - 181 Hyde Street - 80 Instituto Familiar de la Raza - 36 Richmond Area Multi-Services - 138 UC Citywide Case Management and Community Focus - 194 Westside Community Mental Health Services - 55 Horizons Unlimited - 20 Life Center - 108 Positive Directions Equals Change - no impact - new in RFP New Leaf - 40 Walden House - 38 |
| Haight Ashbury, 1440 Chirrock Court, SF Community Vocational Enterprises, 1425 Folson Street, SF UCSF Center on Deafness, 3333 California Street, Suite 10, SF SF Study Center-Peer Wellness, 1095 Market St. #602, SF | Reduction to Community Behavioral Health Services - Behavioral Services Reduction to Community Behavioral Health Services - Vocational Services Reduction to Community Behavioral Health Services - Other Modalities | - - - | (1,157,042) (1,157,042) (298,648) | TBD TBD TBD | (1,157,042) (298,648) (30,000) | This proposal will affect the following number of unduplicated clients: Haight Ashbury - 55 This proposal will affect the following number of unduplicated clients: Community Vocational Enterprises - 45 UCSF Center on Deafness - no impact This proposal will affect the following number of unduplicated clients: SF Study Center-Peer Wellness - 21 | This proposal will affect the following number of unduplicated clients: Haight Ashbury - 55 This proposal will affect the following number of unduplicated clients: Community Vocational Enterprises - 45 UCSF Center on Deafness - no impact This proposal will affect the following number of unduplicated clients: SF Study Center-Peer Wellness - 21 |



| Facility | Initiative | 2010-11 Position Change | 2010-11 Expend Incr/(Decr) | 2010-11 Revenues Incr/(Decr) | Total General Fund Savings | Program Change Description | Estimated Number of Persons Affected |
|---|---|-------------------------------|----------------------------------|------------------------------------|-------------------------------------|---|--|
| The new Primary Care/Behavioral Health integration model will be implemented in the following clinic locations: Castro Mission Health Center: 3610 17th Street, 94114 Chinatown Health Center: 1490 Mission Street, 94133 Community Health Programs for Youth/Latin Street Clinic, 1138 Sutter St., 94109 Curry Senior Center: 333 Turk Street, 94102 Houston and Urban Health Clinic: 234 Eddy Street, 94102 Madroa Hill Health Center: 1301 Pierce Street, 94115 Mission Hill Health Center: 1351 24th Avenue, 94122 Edwards Hill Health Center: 1050 Wisconsin Street, 94107 Silver Avenue Family Health Center: 1025 Silver Avenue, 94134 Southwest Health Center: 2401 Koll Street, 94124 Tom Waddell Health Center: 50 Ivy Street, 94102 CA 94103 | Integration of Community Behavioral Health and Primary Care Services | (10.77) | (1,722,429) | - | (1,722,429) | In order to meet the demands for both PC and BH services, these two modalities will be integrated to more effectively and efficiently provide services. | No impact to clients. |
| Closure of Ark House | | - | (434,736) | - | (434,736) | Effective August 1, 2010, The Ark House experienced an unexpected loss of the contract which forced the closure of their program site at 1038 Howard Street. The program site was closed on August 4, 2010. The program has operated out of several temporary locations with a reduced census. The Controller's Office report issued on April 23, 2010 supports DPH's decision and therefore the Department is moving forward with the program closure. | Up to fifteen (15) outlying clients will be transitioned to other suitable options prior to closing. |
| Health at Home, Laguna Honda Hospital, Unit F5, 3751 Laguna Honda Boulevard, SF CA 94116 | Reduction to Health at Home Workforce from Health Services Agency (H.S.A. for Home Health Services) | (3.00) | (475,892) | (475,892) | - | Effective July 1, 2010, HSA will be eliminating its workforce for services from Health at Home. This will result in the elimination of 3 positions. | This proposal will affect approximately 99 unduplicated clients. |



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 15, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JUN 11 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Duffy, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd

Government Audit and Oversight Committee

Supervisors Mar, Chu, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Duffy

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday
1:30 PM

Wednesday
11:00 AM

2nd and 4th Thursday
3:30 PM

2nd and 4th Monday
10:30 AM

2nd and 4th Thursday
1:00 PM

Monday
1:00 PM

1st and 3rd Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at soff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the May 11, 2010, Board Meeting Minutes

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16**Recommendations of the Budget and Finance Sub-Committee**

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100582 [Appropriating \$811,734 of Fund Balance for the Code Enforcement Rehabilitation Fund in Department of Building Inspection and Mayor's Office of Housing in FY2009-2010]

Sponsor: Mayor

Ordinance appropriating \$738,240 of Code Enforcement Rehabilitation Fund unappropriated fund balance and deappropriating \$73,494 of prior year appropriations to support code enforcement activities in the Department of Building Inspection and the Mayor's Office of Housing in FY2009-2010.

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100640 [Waiver of Temporary Street Space Occupancy Fee for the Mission Community Market]

Sponsor: Campos

Ordinance waiving the permit fee in Public Works Code Section 724.1(b) for temporary street space occupancy on certain blocks of 22nd Street on Saturday, June 19, 2010, as part of a fundraiser to launch the Mission Community Market.

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar; Chiu

3. 090906 [Planning - Uses Permitted in R Districts - Double Density for Senior Housing]

Sponsor: Chiu

Ordinance amending the Planning Code by adding Section 102.6.1 to create a definition related to housing for seniors; amending Planning Code Section 209.1(m) related to the Uses Permitted in R Districts - Dwelling Zoning Control Table to update the requirements for obtaining double density for providing senior housing and, adding Section 209.1(o) to require, in certain circumstances, a conditional use authorization; making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

4. 100437 **[Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]**
Sponsors: Mar; Campos, Alioto-Pier, Avalos and Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.
06/08/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 100517 **[Settlement of Lawsuit - Susan Garduno - \$47,500]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
06/08/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 100518 **[Settlement of Lawsuit - Linda Ho - \$88,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for \$88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
06/08/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 100519 **[Settlement of Lawsuit - Victoria Sanchez - \$66,500]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for \$66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
06/08/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

8. 100520 [Settlement of Lawsuit - Sally Seid - \$48,500]

Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for \$48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 100521 [Settlement of Lawsuit - Mary Anne Short and Robert Short - \$160,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for \$160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 100559 [Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - \$50,000]

Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for \$50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100560 [Settlement of Lawsuit - James A. Shotwell - \$167,500]

Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for \$167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 100561 [Settlement of Lawsuit - 609-611 Burnett Apartments, LLC - \$128,700]

Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC, against the City and County of San Francisco for \$128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC, v. City and County of San Francisco, et al. (City Attorney)

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 100562 **[Settlement of Lawsuit - Melanie Wood and Timothy Wood - \$151,000]**
Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for \$151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)

06/08/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Campos, Alioto-Pier, Mirkarimi

14. 100458 **[Appointments, Immigrant Rights Commission - Haregu Gaime and Melba Maldonado]**
Motion appointing Haregu Gaime, term ending June 6, 2012 and Melba Maldonado, term ending June 6, 2011, to the Immigrant Rights Commission, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Present: Supervisors Campos, Alioto-Pier

15. 100564 **[Appointments, Commission of Animal Control and Welfare - Geneva Page, Susanna Russo and John Aldridge]**
Motion appointing Geneva Page, Susanna Russo and John Aldridge, terms ending April 30, 2012, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

16. 100695 **[Appointments, Food Security Task Force - Meredith Terrell, Daniel Schuman, Jean Cooper, Anne Quaintance, Leo O'Farrell, Linda Lau, Maria LeClair, Paula Jones and Maximilian Rocha]**
Motion appointing Meredith Terrell, Daniel Schuman, Jean Cooper, Anne Quaintance, Leo O'Farrell, Linda Lau, Maria LeClair, Paula Jones and Maximilian Rocha, for indefinite terms, to the Food Security Task Force, residency requirement waived. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

17. 100469 [Recreation and Park Department - Botanical Garden Non-Resident Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.

05/25/2010; AMENDED.

05/25/2010; AMENDED.

05/25/2010; PASSED ON FIRST READING AS AMENDED.

06/08/2010; AMENDED.

06/08/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

18. 100104 [Retailers Duty to Disclose Specific Absorption Rate Values for Cell Phones]

Sponsors: Mayor; Maxwell

Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1105, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.

(Supervisor Elsbernd dissented in Committee)

06/08/2010; CONTINUED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Duffy

19. 100529 **[Creation of Neighborhood Community Justice Task Force]**
Sponsors: Chiu; Maxwell, Alioto-Pier, Mar, Daly and Campos
Ordinance amending the San Francisco Administrative Code by adding Sections 5.70 through 5.75 to create a Neighborhood Community Justice Task Force to make recommendations to the Board of Supervisors regarding the creation of restorative and community justice programs; provide for the Task Force's membership, organization, and duties, and set a sunset date for the Task Force.

06/08/2010, AMENDED.

06/08/2010, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

20. 100700 **[Interim Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]**

Sponsor: Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures of the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 100702 **[Interim Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]**

Sponsor: Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 100726 [Redevelopment Agency Interim Budget FY2010-2011]
Sponsor: Mayor
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011.

Question: Shall this Resolution be ADOPTED?
23. 100728 [Treasure Island Development Authority Interim Budget FY2010-2011]
Sponsor: Mayor
Resolution approving the Interim Budget of the Treasure Island Development Authority for FY2010-2011.

Question: Shall this Resolution be ADOPTED?
24. 100744 [Lease Financing Refunding of Combined Emergency Communication System Bonds and Citywide Emergency Radio System Bonds]
Sponsor: Mayor
Resolution approving the issuance and sale of lease revenue refunding bonds to refinance the Combined Emergency Communication System and Citywide Emergency Radio System of the City and County of San Francisco (City); approving the form of a Facilities Lease by and between the City and County of San Francisco Finance Corporation (Corporation) and the City relating to certain real property described herein; approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee (Trustee); approving the form of an Assignment Agreement by and between the Corporation and the Trustee; approving the form of Escrow Agreements by and between the Corporation and an escrow agent; approving the form of an Official Notice of Sale and a Notice of Intention to Sell the lease revenue refunding bonds; directing the publication of the Notice of Intention to Sell the lease revenue refunding bonds; approving the form of a Purchase Contract and authorizing the appointment of one or more underwriters for the lease revenue refunding bonds; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing the payment of cost of issuance; authorizing the reimbursement of certain expenditures; granting general authority to City officials to take certain actions in connection with the lease revenue refunding bonds; approving modifications to documents; and ratifying previous actions taken in connection therewith.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Sub-Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

25. 100360 [Recreation and Park Department - Harding Park Fees]
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.12, to increase greens fees at Harding Park Golf Course, and making environmental findings. (Recreation and Park Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 100363 **[Revising Board of Appeals Surcharges]**
Sponsor: Mayor
Ordinance amending San Francisco Administrative Code, Chapter 10G, Section 10G.1 to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals; remove the surcharge imposed by the Art Commission for Street Artist Certificates; and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
27. 100642 **[Appropriating \$727,265 of General Fund Reserve and De-Appropriating \$397,801 for Salaries, Disability, and Workers' Compensation in the Sheriff's Department - FY2009-2010]**
Sponsor: Mayor
Ordinance appropriating \$727,265 of General Fund Reserve and de-appropriating \$397,081 of expenditure contingency to fund salary expenditures due to State reductions in the Courts, disability pay, and workers' compensation claims in the Sheriff's Department for FY2009-2010.
- (Fiscal Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
28. 100643 **[Accept and Expend Grant - Federal Department of Energy Appropriations and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$1,000,000]**
Sponsor: Mayor
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$1,000,000 from the Federal U. S. Department of Energy appropriations to support the San Francisco Electric Vehicle Initiative and amending Ordinance No. 183-09 to reflect the addition of two (2) grant funded positions at the Department of the Environment.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
29. 100567 **[Official Advertising, FY2010-2011]**
Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2010-2011. (Office of Contract Administration)
- Question: Shall this Resolution be ADOPTED?**

30. 100568 **[Outreach Advertising for FY2010-2011]**
Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, China Press, Sing Tao Daily and World Journal to be the outreach newspapers of the City and County for the Chinese community, El Reportero to be the outreach newspaper of the City and County for the Hispanic community, Bay Reporter to be outreach newspaper of the City and County for the Lesbian, Gay, Bisexual community, West Portal Monthly to be the neighborhood outreach newspaper for the West Portal neighborhood and Western Edition to be the neighborhood outreach newspaper for the Western Addition community. (Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

31. 100581 **[General Obligation Bonds - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds 2010 - Estimated Cost \$39,140,000]**
Sponsor: Mayor
Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$39,140,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

Question: Shall this Resolution be ADOPTED?

32. 100605 **[Contract with Toyon Associates, Inc., to Provide Regulatory Reporting, Reimbursement and Revenue Optimization Services]**
Resolution authorizing the San Francisco Department of Public Health to extend the contract between the City and County of San Francisco and Toyon Associates, Inc., to provide regulatory reporting, reimbursement and revenue optimization services. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

33. 100647 **[Contract Extension - Department of Public Health and Regents of the University of California San Francisco for the Positive Health Program for Chronic Care HIV/AIDS Multi-Disciplinary Program]**
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Department of Public Health to extend the contract between the City and County of San Francisco and Regents of the University of California San Francisco for the Positive Health Program for Chronic Care HIV/AIDS Multi-Disciplinary Program to provide Center of Excellence delivery of service which includes HIV/AIDS case management, primary medical care, mental health services, substance use counseling, and coordination and planning services.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mirkarimi

34. 100584 **[Appointment as Road Commissioner - Edward D. Reiskin]**
Sponsor: Mayor
Ordinance appointing Edward D. Reiskin, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco, and repealing Ordinance 63-07.

Question: Shall this Ordinance be PASSED ON FIRST READING?
35. 100585 **[Confirming the Reappointment of Rodney Fong to the San Francisco Port Commission]**
Sponsor: Mayor
Resolution confirming the reappointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2014.

Question: Shall this Resolution be ADOPTED?
36. 100586 **[Confirming the Reappointment of Ellen Schumer and Mae Woo to the City Hall Preservation Advisory Commission]**
Sponsor: Mayor
Resolution confirming the reappointments of Ellen Schumer and Mae Woo, terms ending January 13, 2014, to the City Hall Preservation Advisory Commission.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to California Health and Safety Code Section 1442.5 and File No. 100682, approved June 8, 2010.)

Board of Supervisors Sitting as a Committee of the Whole

37. 100683 **[Committee of the Whole - Elimination and/or Reduction of Health Care Services (Beilenson Hearing)]**
Hearing to consider the Department of Public Health's budget eliminating and/or reducing health care services to the indigent population provided by the City and County of San Francisco for FY2010-2011.

Action: _____

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 38 through 43

- 38. 100762 [Proclaiming Mitzi Perino Day - June 25, 2010]**
Sponsor: Chiu
Resolution honoring Mitzi Perino for the many years of work with the San Francisco Department of Building Inspection and proclaiming June 25, 2010, as Mitzi Perino day in San Francisco.

06/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
- 39. 100763 [Supporting the California Jobs Budget]**
Sponsor: Chiu
Resolution supporting the Assembly's Democratic budget proposal, also known as the California Jobs Budget.

06/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 100764 **[Adopting Recommended Approach for Trees Infected by Pine Pitch Canker]**
Sponsor: Mar
Resolution adopting the Pitch Canker Task Force management recommendations for trees infected by pine pitch canker as the City and County of San Francisco's recommended approach to management of trees impacted by the disease.

06/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
41. 100765 **[Urging Support for the Enforcement of the Preservation and Restoration of Sacred Heart Church]**
Sponsor: Mirkarimi
Resolution urging the Department of Building Inspection to diligently monitor the status and the condition of the Historic Sacred Heart Church, documenting the understanding between the Megan Furth Academy and its neighbors, seeking re-installation of the exterior stained glass windows and requesting the City Attorney to open an investigation for the purpose of enforcing possible violation of the Building and Planning Codes.

06/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
42. 100766 **[Authorizing Submittal of an Application for Funding Under the CalHome Program]**
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Housing to submit an application for funding to the California State Department of Housing and Community Development under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

06/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
43. 100767 **[Freedom Flotilla and Gaza Blockade]**
Sponsors: Avalos; Maxwell
Resolution joining the global community, including international human rights organizations, The Elders, over 50 nations, and thousands of Bay Area residents in condemning the Israeli Defense Forces' military attack on the Freedom Flotilla on May 31, 2010, that resulted in the death of at least nine people, including a United States citizen; and urging President Barack Obama and Congress to continue their work addressing the humanitarian crisis in Gaza, actively seek an end to the blockade, and work towards genuine peace and security for all peoples in the region.

06/08/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCE

Proposed ordinance received from May 29, 2010, to June 7, 2010, for reference by President to appropriate committee on June 15, 2010.

100467

[Zoning Map Amendment for One Capitol Avenue]

Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block 7148/Lot 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

06/01/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 29, 2010, to June 7, 2010, for reference by President to appropriate committee on June 15, 2010.

- 100694 [Contract Amendment to the Fuel Contract to Increase the Not to Exceed Amount from \$25,000,000 to \$50,000,000]**
Resolution approving the Third Amendment to the Agreement between the City and Western States Oil (Contractor) increasing the total not to exceed amount of the contract from \$25,000,000 to \$50,000,000 and extending the term for one year, pursuant to Charter Section 9.118(b). (Office of Contract Administration)
06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.
- 100772 [Report of Assessment Costs for Sidewalk and Curb Repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)
06/15/2010; ASSIGNED to the Board of Supervisors.
- 100775 [Report of Assessment Costs for Blighted Properties]**
Resolution approving report of assessment costs submitted by the Director of Public Works for the inspection and/or the repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a Blight Abatement Fund. (Public Works Department)
06/07/2010; ASSIGNED to the Board of Supervisors.
- 100780 [Amendment to Treasure Island South Waterfront Master Lease]**
Resolution approving the Twenty-Sixth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)
06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.
- 100781 [Amendment to Treasure Island Land and Structures Master Lease]**
Resolution approving the Thirty Fourth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)
06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.
- 100782 [Amendment to Treasure Island Marina Master Lease]**
Resolution approving the Fourteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)
06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

- 100783 [Amendment to Treasure Island Childcare Master Lease]**
Resolution approving the Sixth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

- 100784 [Amendment to Treasure Island Event Venues Master Lease]**
Resolution approving the Twenty-Second Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

- 100785 [Approving Modification to the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy]**
Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2010, to September 30, 2011. (Treasure Island Development Authority)

06/04/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100794 [Petitions and Communications]

Petitions and Communications received from May 29, 2010, through June 7, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 15, 2010.

From Office of the Mayor, submitting the proposed June Budget Book for FY2010-2011. File No. 100699 (1)

From Office of the Controller, submitting audit report regarding crime and disorder on MUNI. A case study on data-driven policing in the Ingleside District. Copy: Each Supervisor (2)*

From Office of the Controller, submitting the Public Education Enrichment Fund Annual Report for FY2010-2011. Copy: Each Supervisor (3)

From State Department of Fish and Game, submitting the draft Environmental Impact Report regarding migratory game bird hunting. (4)

From Office of the Treasurer and Tax Collector, submitting their Annual Report of businesses that filed for the Clean Energy Technology Business Payroll Tax Exclusion for 2009 calendar year. Copy: Each Supervisor, Budget and Finance Committee Clerk (5)

From Office of the Treasurer and Tax Collector, submitting their Annual Report of businesses that filed for the Biotechnology Payroll Tax Exclusion for the 2009 calendar year. Copy: Each Supervisor, Budget and Finance Committee Clerk (6)

From Office of the Treasurer and Tax Collector, submitting their Annual Report of businesses that filed for tax credits for the 2009 calendar year. Copy: Each Supervisor, Budget and Finance Committee Clerk (7)

From Laguna Honda Hospital and Rehabilitation Center, submitting their Quarterly Report regarding compliance with the admission policy priorities that took place on February 22, 2005. (8)

From Office of the Mayor, submitting notice regarding transfer of function under Charter Section 4.132. Copy: Each Supervisor (9)

From Library Users Association, urging the Board of Supervisors to help direct library priorities on branch service during closures for renovations. (10)

From Public Utilities Commission, regarding status of Community Choice Aggregation Contract. (Reference No. 200100420-006) (11)

From Dr. Gary Tsai, submitting support for passage of Laura's Law. (12)

From Office of the Controller, submitting the results of the follow-up review for the audit of Municipal Transportation Agency Cable Car Fare Collection Practices. Copy: Each Supervisor (13)

From Office of the Controller, submitting notification of the Access Line Tax Annual Rate Adjustment. Copy: Each Supervisor, Budget and Finance Committee Clerk (14)

From concerned citizens, submitting opposition to proposed resolution calling for a boycott of the State of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. File No. 100256, 27 letters (15)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. Approximately 50 letters (16)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, 5 letters (17)

From Troy Barber, submitting support for expanding parking meter hours/and or Sunday metering. (18)

From S.F. Public Golf Alliance, submitting support for continued funding for Sharp Park Golf Course. Copy: Budget and Finance Clerk (19)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notice: (20)

Board of Appeals

Child Support Services

Civil Service Commission

Elections

Public Defender

From Judith Tornese, submitting support for a Charter Amendment that limits the growth of pensions for city employees and requires employees to pay more toward their pension benefits and pays at least 25% of their retiree health coverage. (21)

From concerned citizens, submitting opposition for continued funding of Sharp Park Golf Course. (22)

From Morris Bibliowicz, regarding trees being cut down at Treasure Island. (23)

From Mendocino County Citizens for Responsible Transportation, submitting opposition to funding the Willits Bypass Project. Copy: Each Supervisor (24)

From concerned citizens, urging the Board of Supervisors to protect Supportive Housing services in the FY2010-2011 Budget. 2 postcards (25)

From Office of the Controller, submitting the Government Barometer Report for April 2010. (26)

From Department of Public Works, regarding status of repairing potholes and sidewalk issues on Steiner Street and Golden Gate Avenue. (Reference No. 20100427-006) (27)

From Patrick Shaw, regarding Laguna Honda Hospital and Rehabilitation Center. 2 letters (28)

From Joe Cline, submitting opposition to public power in San Francisco. (29)

From Rita O'Flynn, regarding the Tenderloin Housing Clinic's non-compliance with grants received from the City and County of San Francisco. (30)

From John Adams, submitting support for annual drug testing of San Francisco cab drivers. (31)

From Francisco Da Costa, commenting on the draft Environmental Impact Report for Hunters Point Shipyard and Candlestick Point. (32)

From concerned citizens, submitting support for Mayor Newsom's right to know cell phone legislation. File No. 100104, 3 letters (33)

From Abdalla Megahed, regarding the exchange between President Obama and the Middle East (34)

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (35)
Department of Human Resources
Law Library
Status of Women.

From Melly Mel, regarding the proposed plan to build a disc-golf course in McLaren Park. (36)

From Public Utilities Commission, responding to various Workforce inquiries. (Reference No. 20100413-007) (37)

From State Fish and Game Commission, submitting notice that the California tiger salamander warrants listing to threatened species status. (38)

From Aaron Goodman, submitting opposition to granting a revocable major encroachment to S.F. State University to occupy a portion of the public-right-way to install and maintain private underground utilities crossing Font Boulevard in Parkmerced. File No. 100364 (39)

From Denise D'Anne, regarding the Peak Oil Task Force recommendations. (40)

From Nick August, submitting support for the same restrictions/fees for bicycle riders as motor vehicles. (41)

From Cynthia Hall, urging the Board of Supervisors to ensure that the California Pacific Medical Center Master Plan meet the needs of the surrounding communities. (42)

From S.F. Public Utilities Commission, regarding California Public Utilities Commission's formal acknowledgment of CleanPowerSF as a Community Choice Aggregator in the State of California. (43)

From Bay Area Rapid Transit, submitting notice of community meetings on various dates and locations. (44)

From State Department of Mental Health, submitting notice of placement of a person who was committed as a sexually violent predator at 101- 9th Street. Copy: Supervisor Daly, City Attorney (45)

From State Department of Mental Health, submitting notice retracting placement of a person who was committed as a sexually violent predator at 101- 9th Street. Copy: Supervisor Daly, City Attorney (46)

ADJOURNMENT



BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 22, 2010 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

JUN 18 2010

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Elsbernd, Dufty

Government Audit and Oversight Committee

Supervisors Mar, Chu, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Elsbernd

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting.

Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at soff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

1. 100360 **[Recreation and Park Department - Harding Park Fees]**
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.12, to increase greens fees at Harding Park Golf Course, and making environmental findings. (Recreation and Park Department)

06/15/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100363 [Revising Board of Appeals Surcharges]**Sponsor: Mayor**

Ordinance amending San Francisco Administrative Code, Chapter 10G, Section 10G.1 to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals; remove the surcharge imposed by the Art Commission for Street Artist Certificates; and making environmental findings.

06/15/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 100642 [Appropriating \$727,265 of General Fund Reserve and De-Appropriating \$397,801 for Salaries, Disability, and Workers' Compensation in the Sheriff's Department - FY2009-2010]**Sponsor: Mayor**

Ordinance appropriating \$727,265 of General Fund Reserve and de-appropriating \$397,081 of expenditure contingency to fund salary expenditures due to State reductions in the Courts, disability pay, and workers' compensation claims in the Sheriff's Department for FY2009-2010.

(Fiscal Impact.)

06/15/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 100643 [Accept and Expend Grant - Federal Department of Energy Appropriations and Amendment to the Annual Salary Ordinance, FY2009-2010 - \$1,000,000]**Sponsor: Mayor**

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$1,000,000 from the Federal U. S. Department of Energy appropriations to support the San Francisco Electric Vehicle Initiative and amending Ordinance No. 183-09 to reflect the addition of two (2) grant funded positions at the Department of the Environment.

06/15/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbeind, Maxwell, Campos

5. 100734 [Approval of a Loan from the Low Income Investment Fund to Refinance Existing Section 108 United States Department of Housing and Urban Development Loans - Not to Exceed \$1,925,000]
Sponsor: Mayor
Resolution approving a loan in the amount not to exceed \$1,925,000 to the City and County of San Francisco from the Low Income Investment Fund to refinance existing Section 108 United States Department of Housing and Urban Development loans.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Dufty

6. 100673 [Accept and Expend Grant - Prevention Umbrella for MSM in the Americas - \$101,261]
Sponsors: Chu; Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of \$101,261 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "Prevention Umbrella for MSM in the Americas" for the period of April 1, 2010, through March 31, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mirkarimi

7. 100584 [Appointment as Road Commissioner - Edward D. Reiskin]
Sponsor: Mayor
Ordinance appointing Edward D. Reiskin, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco, and repealing Ordinance 63-07.

06/15/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

8. 100469 [Recreation and Park Department - Botanical Garden Non-Resident Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.
- 05/25/2010; AMENDED.
- 05/25/2010; AMENDED.
- 05/25/2010; PASSED ON FIRST READING AS AMENDED.
- 06/08/2010; AMENDED.
- 06/08/2010; PASSED ON FIRST READING AS AMENDED.
- 06/15/2010; AMENDED.
- 06/15/2010; PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

9. 100567 [Official Advertising, FY2010-2011]
Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2010-2011. (Office of Contract Administration)
- 06/15/2010; CONTINUED.
- Question: Shall this Resolution be ADOPTED?**

Recommendations of the Budget and Finance Committee

Present Supervisors Avalos, Miranini, Elsbernd, Maxwell, Campos

10. 100700 [Interim Consolidated Budget and Annual Appropriation Ordinance, FYs Ending June 30, 2011, and June 30, 2012]

Sponsor: Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures of the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

06/15/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 100702 [Interim Annual Salary Ordinance, FY Ending June 30, 2011, for all Departments, and for FY Ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission]

Sponsor: Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2011, for all departments and for FY ending June 30, 2012, for the San Francisco International Airport, Municipal Transportation Agency, Port Commission, and Public Utilities Commission continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

06/15/2010; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Avalos, Elsbernd

12. 100104 [Retailers Duty to Disclose Specific Absorption Rate Values for Cell Phones]
Sponsors: Mayor; Maxwell

Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1106, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.

(Supervisor Elsbernd dissented in Committee)

06/08/2010; CONTINUED ON FIRST READING.

06/15/2010; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

06/15/2010; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS**Recommendations of the Budget and Finance Committee**

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

13. 100712 [Increasing Animal Care and Control Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Health Code, Article 1, by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to increase fees and set new fees for the Department of Animal Care and Control and to update language to reflect current practices, amending Section 41.25 to authorize administrative citations for violation of specified Health Code sections, amending Section 41.26 to update language regarding fee changes in subsequent fiscal years, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 100722 [San Francisco Enterprise Zone Tax Credit Forms and Fee]

Sponsor: Mayor

Ordinance amending Administrative Code, Chapter 2A, Article XIX, by amending Section 2A.270 to authorize the Economic and Workforce Development Department to process forms and supporting documentation to establish eligibility for San Francisco Enterprise Zone tax credits, authorizing fee, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 100742 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]
Sponsor: Mayor
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors), absentee voter ballot distribution (Department of Elections); LGBT Anti-violence Education and Outreach Program (District Attorney); central shops security, convention facilities management, janitorial services, and security services (General Services Agency-City Administrator); security services-1680 Mission Street (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); Project S.A.F.E. (Police), and food services (Sheriff).

Question: Shall this Resolution be ADOPTED?

Present Supervisors Avalos, Mirkarimi, Elsbernd, Campos

16. 100743 [Refunding Certificates of Participation - Not to Exceed \$155,000,000]
Sponsor: Mayor
Ordinance authorizing the execution and delivery of Refunding Certificates of Participation in an aggregate principal amount not to exceed \$155,000,000 to refinance certain certificates of participation that financed various capital improvement projects; approving the form of a Trust Agreement between the City and County of San Francisco and the trustee (including certain indemnities contained therein); authorizing the selection of a trustee (Trustee); approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the San Bruno Complex and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); approving the form of an Escrow Agreement between the City and an Escrow Agent named therein (including certain indemnities contained therein); approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Refunding Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Refunding Certificates of Participation, if sold by negotiated sale and approving the form of a Purchase Contract between the City and an Underwriter named therein; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Refunding Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Friday, June 18, 2010, at 2:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 22, 2010.

17. 100583 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]

Sponsor: Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2010, through June 30, 2012.

Question: Shall this Ordinance be FINALLY PASSED?

18. 100608 [Memorandum of Understanding - Multiple Unions (Crafts Coalition)]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2010, through June 30, 2012.

Question: Shall this Ordinance be FINALLY PASSED?

19. 100609 [Memorandum of Understanding - San Francisco Institutional Police Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2010, through June 30, 2012.

Question: Shall this Ordinance be FINALLY PASSED?

20. 100610 **[Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2010, through June 30, 2012.
Question: Shall this Ordinance be FINALLY PASSED?
21. 100611 **[Memorandum of Understanding - International Brotherhood of Electrical Workers, Local Union 6]**
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2010, through June 30, 2012.
Question: Shall this Ordinance be FINALLY PASSED?
22. 100612 **[Memorandum of Understanding - Municipal Attorneys' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association, to be effective July 1, 2010, through June 30, 2012.
Question: Shall this Ordinance be FINALLY PASSED?
23. 100613 **[Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, Supervising Probation Officers]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2010, through June 30, 2012.
Question: Shall this Ordinance be FINALLY PASSED?
24. 100614 **[Memorandum of Understanding - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 to be effective July 1, 2010, through June 30, 2012.
Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 100615 **[Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO to be effective July 1, 2010, through June 30, 2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
26. 100616 **[Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to be effective July 1, 2010, through June 30, 2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
27. 100617 **[Memorandum of Understanding - Transport Workers Union of America, Local 200]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2010, through June 30, 2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
28. 100618 **[Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Non-MTA 7410)]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2010, through June 30, 2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
29. 100619 **[Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Multi-Unit)]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2010, through June 30, 2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
30. 100620 **[Memorandum of Understanding - Service Employees International Union, Local 1021]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to be effective July 1, 2010, through June 30, 2012.
- Question: Shall this Ordinance be FINALLY PASSED?**

31. 100621 **[Memorandum of Understanding, Amendment No. 4 – Municipal Executives' Association]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
32. 100622 **[Memorandum of Understanding, Amendment No. 3 - International Federation of Professional and Technical Engineers, Local 21]**
Sponsor: Mayor
Ordinance adopting and implementing the Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
33. 100623 **[Memorandum of Understanding, Amendment No. 2 – San Francisco District Attorney Investigators' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award that establishes Amendment No. 2 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by implementing specified terms and conditions of employment for FY2010-2011.
- Question: Shall this Ordinance be FINALLY PASSED?**
34. 100624 **[Memorandum of Understanding, Amendment No. 4 - Union of American Physicians and Dentists (Unit 8-CC)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.
- Question: Shall this Ordinance be FINALLY PASSED?**
35. 100625 **[Memorandum of Understanding, Amendment No. 3 - Union of American Physicians and Dentists (Unit 11-AA)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

36. 100626 **[Memorandum of Understanding, Amendment No. 1 - Laborers International Union, Local 261]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 1 to the 2009-2011 Memorandum of Understanding between the City and County of San Francisco and the Laborers, Local 261 by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 100627 **[Memorandum of Understanding, Amendment No. 3 - Automotive Machinists Union, Local 1414]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 100628 **[Compensation for Unrepresented Employees]**
Sponsor: Mayor
Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Rules Committee at a Special Meeting on Friday, June 18, 2010, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 22, 2010.

39. 100797 **[Appointment, Market and Octavia Community Advisory Committee]**
Hearing to consider appointing one member, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Seat 4, succeeding Brad Villers, deceased, must be a local merchant and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2010.

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 40 through 53

40. 100817 [Supporting the Designation as a Preserve America Community]
Sponsor: Chiu
Resolution supporting the designation of the City and County of San Francisco as a Preserve America Community by the United States Department of the Interior.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
41. 100818 [Recurring Grant Funds to the Department of Public Health - FY2010-2011]
Sponsor: Chu
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2010-2011.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 100819 **[Honoring Gigi Guevarra]**
Sponsor: Duffy
Resolution honoring Gigi Guevarra on the occasion of her retirement from 23 years of service to the City and County of San Francisco.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
43. 100820 **[Requesting that the Prohibition on Gay Men Donating Blood be Revised]**
Sponsors: Duffy; Campos
Resolution calling upon the United States Food and Drug Administration to revise their longstanding prohibition on gay men donating blood.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
44. 100821 **[Urging the Rejection of Assembly Bill 746 regarding Conflict of Interest]**
Sponsors: Chiu; Campos and Avalos
Resolution urging the California State Legislature to reject the passage of Assembly Bill 746 regarding conflicts of interest.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
45. 100822 **[Excluding Tobacco Products from the Trans-Pacific Partnership Trade Negotiations and all Future Trade Agreements]**
Sponsor: Mar
Resolution Calling on U.S. Trade Negotiators to Exclude lethal tobacco and tobacco products from the Trans-Pacific Partnership and other trade agreements negotiated by the United States, and urging the appointment of public health representatives to advise U.S. Trade Negotiators to protect public health.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
46. 100823 **[Supporting Soda Free Summer]**
Sponsor: Mar
Resolution supporting Soda Free Summer.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 100824 **[Opposing the Safe, Clean, and Reliable Drinking Water Supply Act of 2010]**
Sponsor: Mar
Resolution opposing the Safe, Clean, and Reliable Drinking Water Supply Act of 2010.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
48. 100825 **[Opposing the Reduction in Minimum Standards for Basic Telephone Service]**
Sponsor: Maxwell
Resolution opposing a proposal of the California Public Utilities Commission to reduce the minimum standards for basic telephone service in California.

06/16/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
49. 100827 **[Political Campaign Spending by Pacific Gas and Electric Co.]**
Sponsor: Mirkarimi
Resolution demanding refund of shareholder and ratepayer money used to finance Prop 16, urging the San Francisco Employees' Retirement System Board to reform its proxy investment policies with regard to its holdings with Pacific Gas and Electric Co. (PG&E), requesting the California Public Utilities Commission to closely scrutinize PG&E's current rate request, and requesting PG&E CEO Peter Darbee to discuss San Francisco's renewable energy needs.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
50. 100828 **[Honoring Officer Waldemar L. Jentzsch]**
Sponsor: Duffy
Resolution recognizing Officer Waldemar L. Jentzsch of the San Francisco Police Department.

06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
51. 100770 **[Committee of the Whole - Hearing on the Report of Assessment Costs for Sidewalk and Curb Repairs]**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

06/07/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

52. 100773 [Committee of the Whole - Hearing on the Report of Assessment Costs for Blighted Properties]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on June 29, 2010, at 3:00 p.m., to hold a public hearing on the resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

06/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

53. 100799 [Final Map 5736 - 1042 Pine Street]

Motion approving Final Map 5736, a 5 Unit Residential Condominium Project, located at 1038 - 1042 Pine Street being a subdivision of Lot 009 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101 1. (Public Works Department)

06/14/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

55. 100830 [Petitions and Communications]

Petitions and Communications received from June 8, 2010, through June 14, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 22, 2010.

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (1)
Department of Building Inspection
Ethics Commission
Juvenile Probation
Mayor's Office on Disability

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering (2)

From Department of Public Health, submitting their annual list of membership organizations for FY2010-2011. Copy: Budget and Finance Committee (3)

From Youth Commission, submitting support for proposed ordinance regarding Retailers' Duty to Disclose Radiation Levels for Cell Phones. File No. 100104, Copy: Each Supervisor (4)

From Consumer Federation of California, submitting support for proposed ordinance regarding Retailers' Duty to Disclose Radiation Levels for Cell Phones. File No. 100104, Copy: Each Supervisor (5)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (6)
Office of Citizen Complaints
Ethics Commission
Department of the Environment
Police Department
S.F. Wholesale Produce Market Corporation

From Office of the Controller, submitting the Japan Center Garage Corporation audit report. Copy: Each Supervisor (7)

From Office of the Controller, submitting the Kemper Sports Management - Harding Park concession audit report. Copy: Each Supervisor (8)

From Office of the Controller, regarding FY2010-2011 Revenue Letter. (9)

From State Public Utilities Commission, submitting notice of availability of document on the web regarding instituting rulemaking whether to allow emergency access to 211 services in counties and localities without existing 211 centers. (10)

From Law Offices of Millstein and Associates, submitting notice of intent to file petition for Writ of Mandamus, CEQA violation in connection with property located at 11111 California Street (California Masonic Memorial Temple). (11)

From Patrick Monette-Shaw, regarding the misappropriation of funds intended for elderly and disabled patients spent on staff at Laguna Honda Hospital. (12)

From Panhandler Boycott, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233 (13)

From UC San Francisco, submitting their report regarding the economic and fiscal impact of the University of California, San Francisco. Copy: Each Supervisor (14)

From Department of Public Health, submitting their annual report on assessment of the demand for substance abuse treatment. Copy: Each Supervisor (15)

From concerned citizens, submitting opposition to proposed resolution regarding Freedom Flotilla and Gaza Blockade. File No. 100767, Copy: Each Supervisor, 5 letters (16)

From concerned citizens, submitting opposition to proposed resolution calling for a boycott of the State of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. 7 letters (17)

From Carleton Hoffman, submitting support for proposed ordinance requiring retailers to disclose specific absorption rate values for cell phones. File No. 100104 (18)

From Aaron Goodman, commenting on the Parkmerced draft Environmental Impact Report. Copy: Each Supervisor, Land Use Committee Clerk (19)

From PUC Purchasing Department, submitting request for waiver of Administrative Code Chapter 12B for Transtech. (20)

From Bernard Choden, regarding the Environmental impact Report for Candlestick Point. (21)

From Francisco Da Costa, regarding Supervisor Maxwell and Bayview Hunters Point. (22)

From Denise D'Anne, regarding the fleet of cars used by city employees. (23)

From State Public Utilities Commission, submitting notification of Pacific Gas and Electric Company's application for its 2011 electric procurement forecast costs and other project costs. Copy: Supervisor Mirkarimi (24)

From Aaron Goodman, regarding housing at Bayview Hunter's Point. (25)

From David Raye, regarding the demolition of the Tonga Room in the Fairmont Hotel. (26)

From Gene Swank, submitting opposition to proposed Charter Amendment authorizing San Francisco non-citizens with children in the San Francisco Unified School District to vote in elections for the Board of Education. File No. 100635 (27)

From Tee Yvette, regarding privatizing the Recreation and Park Department. (28)

From Francisco Da Costa, regarding Mayor Gavin Newsom. (29)

From Richard Carlson, urging the Board of Supervisors to ensure that the California Pacific Medical Center Master Plan meet the needs of the surrounding communities. (30)

From Gary, urging the Board of Supervisors to protect Supportive Housing services in the FY2010-2011 Budget. (31)

From Moira Gallagher, regarding a restaurant on Van Ness Avenue. Copy: Supervisors Alioto-Pier, Chiu (32)

From Supervisor Chiu, submitting change to the regularly scheduled meetings of the Joint City & School District Committee to the 1st and 3rd Thursdays of each month. Copy: Each supervisor, Deputy City Attorney (33)

From James Chaffee, regarding the memorial Effie Lee Morris of Children's Services at the San Francisco Public Library. (34)

From Gloria Kosbie, urging the Board of Supervisors to look in other areas that will sustain lasting budget reductions instead of reducing the health care budget. File No. 100683. (35)

From Department of the Environment, submitting the Resource Conservation Ordinance Annual Report 2009. Copy: Each Supervisor. (36)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, June 29, 2010

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Chapter 80 of the San Francisco Administrative Code, the costs thereof having been paid for out of a blight abatement fund.

Pursuant to the provisions of San Francisco Administrative Code Chapter 80, the Director of Public Works did cause the correction of blighted conditions at various locations where the obligation to perform such correction is that of the property owners. A copy of the report for such corrections is attached, which contains the location, block and lot numbers, and the total amount due.

At the public hearing, the Board of Supervisors will hear objections which may be raised by any property owner liable to be assessed, and may make such corrections, revisions or modifications to the report as it deems just. Confirmation of the report by the Board of Supervisors will result in special assessments of the property and addition of these assessments to the tax roll.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written

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comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, June 24, 2010.

A handwritten signature in dark ink, appearing to read 'Angela Calvillo', with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board

DATED: June 15, 2010
POSTED: June 15, 2010



CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS

ORDER NO. 178,700

REPORT TO THE BOARD OF SUPERVISORS OF ASSESSEMENT COSTS OF BLIGHTED PROPERTIES AT VARIOUS LOCATIONS, AND TRANSMITTING RESOLUTION TO SAID BOARD CONFIRMING SAID REPORT.

PURSUANT TO THE PROVISIONS OF CHAPTER 80 OF THE ADMINISTRATIVE CODES, THE DIRECTOR OF PUBLIC WORKS DID INSPECT AND CAUSE THE CORRECTION OF BLIGHTED CONDITIONS AT VARIOUS LOCATIONS WHERE THE OBLIGATION TO PERFORM SUCH CORRECTION IS THAT OF THE PROPERTY OWNERS.

IN ACCORDANCE WITH CHAPTER 80 OF THE ADMINSTRATIVE CODE, EACH OF THE ASSESSMENTS INCLUDES THE EXPENSE OF THE WORK THEREOF TO COVER THE COST OF CITY ADMINISTRATION.

THE ATTACHED IS AN ITEMIZED REPORT OF ASSESSMENT COSTS FOR THE WORK DONE.

THE OWNERS LISTED HAVE REQUESTED THE CITY TO PERFORM THE CORRECTION AND PLACE THE COST OF THE WORK AS AN ASSESSMENT ON THEIR PROPERTY TAXES, OR HAVE OTHERWISE FAILED, REFUSED, OR NEGLECTED TO REIMBURSE THE CITY FOR THE COST OF THE WORK. THEREFORE, IT IS RECOMMENDED THAT PURSUANT TO PROVISIONS OF CHAPTER 80 OF THE ADMINISTRATIVE CODE, THAT THE BOARD OF SUPERVISORS ATTACH THE ASSESSED COSTS ONTO THE PROPERTY TAX BILLS OF THE AFORMENTIONED PROPERTIES.

ALSO PURSUANT TO CHAPTER 80 OF THE ADMINISTRATIVE CODE, PRIOR TO THE ATTACHMENT OF THE ASSESSED COSTS ONTO THE PROPERTY TAX BILLS OF THE AFORMENTIONED LOCATIONS, THIS DEPARTMENT REQUESTS THE BOARD OF SUPERVISORS SCHEDULE A HEARING TO REVIEW THIS REPORT, AND HEAR ANY OBJECTIONS WHICH MAY BE RAISED BY ANY PROPERTY OWNER LIABLE TO BE ASSESSED FOR THE EXPENSE DESCRIBED IN THIS REPORT.

TRANSMITTED HERewith FOR THE BOARD'S CONSIDERATION IS THE FOLLOWING:

PROPOSED RESOLUTION CONFIRMING THE REPORT OF ASSESSMENT COSTS OF REPAIRS AT THE STATED LOCATIONS, AND THE ATTACHMENT OF THESE COSTS ONTO THE PROPERTY TAX BILLS OF THOSE SAME LOCATIONS.



EDWARD D. REISKIN
DIRECTOR of PUBLIC WORKS

APPROVED: June 3, 2010

DISTRIBUTION:

DEPARTMENT FILES (2)
BOARD OF SUPERVISORS (3) (SIGNED)
ACCOUNTS (1)



Report of Cost**Community Preservation and Blight Reduction Act****Special Assessment for FY2010-2011 Property Tax Bill (Tentative List)**

| Invoice Date | Invoice # | Block/Lot | Citation # | Street # | Street Name | Inspection Fee Balance | Abatement Balance | Total Property Blight Bill |
|--------------|-----------|-----------|------------|-----------|-------------|------------------------|-------------------|----------------------------|
| 11/9/2009 | 23984 | 0090/029 | 915179 | 776 | COLUMBUS AV | 250 | | 250 |
| 11/9/2009 | 23988 | 0192/039 | 914615 | 821 | JACKSON ST | 250 | | 250 |
| 11/9/2009 | 23991 | 0211/001 | 900376 | 945 | STOCKTON ST | 250 | | 250 |
| 11/9/2009 | 23993 | 0242/022 | 859265 | 4 | BROOKLYN PL | 250 | 238.99 | 488.99 |
| 11/9/2009 | 23997 | 0322/008 | 886302 | 444 | HYDE ST | 250 | | 250 |
| 11/9/2009 | 23998 | 0355/006 | 916258 | 1240 | MARKET ST | 250 | | 250 |
| 11/9/2009 | 24001 | 0645/007 | 895962 | 1462 | PINE ST | 250 | 301.99 | 551.99 |
| 11/9/2009 | 24003 | 0692/008 | 910673 | 1038 | POST ST | 250 | | 250 |
| 11/9/2009 | 24004 | 0693/006 | 891471 | 924 | GEARY ST | 250 | | 250 |
| 11/9/2009 | 24005 | 0694/006 | 911518 | 1030 | GEARY ST | 250 | | 250 |
| 11/9/2009 | 24006 | 0694/007 | 891727 | 1036 | GEARY ST | 250 | | 500 |
| 11/9/2009 | 24007 | 0694/008 | 903572 | 1040 | GEARY ST | 250 | | 250 |
| 11/9/2009 | 24011 | 1443/024 | 901074 | 388 | 12TH AV | 250 | | 250 |
| 11/9/2009 | 24012 | 3516/010 | 897180 | 278 | 11TH ST | 250 | | 250 |
| 11/9/2009 | 24016 | 3554/027 | 892007 | 415 | VALENCIA ST | 250 | | 250 |
| 11/9/2009 | 24019 | 3572/020C | 823757 | 2747 | 16TH ST | 250 | 603.99 | 853.99 |
| 11/9/2009 | 24021 | 3590/034 | 905394 | 2211 | MISSION ST | 250 | | 250 |
| 11/9/2009 | 24022 | 3590/035 | 912022 | 2205 | MISSION ST | 250 | | 250 |
| 11/9/2009 | 24026 | 4013/015 | 886198 | 595 | POTRERO AV | 250 | | 250 |
| 11/9/2009 | 24029 | 6472/022 | 915514 | 5875 | MISSION ST | 250 | | 250 |
| 11/9/2009 | 24030 | 6529/007 | 899141 | 2972 | MISSION ST | 250 | | 250 |
| 11/9/2009 | 24032 | 6940/022 | 870906 | 70 | HOLLOWAY AV | 250 | | 250 |
| 11/9/2009 | 24033 | 7113/020 | 901292 | 199 | BROAD ST | 250 | 414.99 | 664.99 |
| 11/9/2009 | 24404 | 5735/015 | 893927 | 517 | NEVADA ST | 250 | | 250 |
| 11/9/2009 | 24405 | 0225/019 | 897585 | 857 | CLAY ST | 250 | | 250 |
| 11/16/2009 | 24777 | 1246/029 | 892138 | 1601-1611 | HAIGHT ST | 250 | | 250 |
| 11/16/2009 | 24778 | 0146/015 | 896615 | 1338 | STOCKTON ST | 250 | | 250 |
| 11/16/2009 | 24780 | 2372/024A | 919623 | 3350 | TARAVAL ST | 250 | | 250 |
| 11/16/2009 | 24784 | 0178/003 | 892958 | 1005 | GRANT AV | 250 | | 250 |
| 11/16/2009 | 24789 | 0193/024 | 905727 | 1078 | STOCKTON ST | 250 | | 250 |
| 11/16/2009 | 24793 | 0210A/002 | 919765 | 950 | STOCKTON ST | 250 | | 250 |
| 11/16/2009 | 24797 | 0225/013 | 916516 | 804 | STOCKTON ST | 250 | | 250 |
| 11/16/2009 | 24800 | 0227/034 | 910957 | 630 | KEARNY ST | 250 | | 250 |
| 11/16/2009 | 24801 | 0242/055 | 856012 | 619 | GRANT AV | 250 | | 250 |
| 11/16/2009 | 24817 | 0620/018 | 905365 | 1732 | POLK ST | 250 | | 250 |
| 11/16/2009 | 24820 | 0667/017 | 918648 | 1533 | PINE ST | 250 | | 250 |
| 11/16/2009 | 24822 | 0670/004 | 908182 | 1233 | POLK ST | 250 | | 250 |
| 11/16/2009 | 24823 | 0670/017 | 856004 | 1487 | BUSH ST | 250 | | 250 |
| 11/16/2009 | 24826 | 0688/004 | 905979 | 1400 | POST ST | 250 | | 500 |



Report of Cost**Community Preservation and Blight Reduction Act****Special Assessment for FY2010-2011 Property Tax Bill (Tentative List)**

| Invoice Date | Invoice # | Block/Lot | Citation # | Street # | Street Name | Inspection Fee Balance | Abatement Balance | Total Property Blight Bill |
|--------------|-----------|-----------|------------|-----------|-------------------|------------------------|-------------------|----------------------------|
| 11/16/2009 | 24827 | 0692/005 | 903688 | 1020 | POST ST | 250 | | 250 |
| 11/16/2009 | 24835 | 1266/004 | 869022 | 939 | STANYAN ST | 250 | | 250 |
| 11/16/2009 | 24839 | 3504/038 | 880263 | 1695 | MARKET ST | 250 | | 250 |
| 11/16/2009 | 24844 | 3589/108 | 899132 | 777 | VALENCIA ST | 250 | | 500 |
| 11/16/2009 | 24852 | 6516/005A | 878155 | 2854 | MISSION ST | 250 | | 250 |
| 11/16/2009 | 24855 | 7088/056 | 859242 | 310 | RANDOLPH ST | 250 | | 250 |
| 12/19/2009 | 26195 | 4230/001 | 931784 | 2700 | 03RD ST | 250 | | 250 |
| 1/12/2010 | 26947 | 4149/033 | 979418 | 2839 | 22ND ST | 250 | | 250 |
| 1/12/2010 | 26948 | 0156/006 | 970627 | 1615 | JONES ST | 250 | | 250 |
| 1/12/2010 | 26955 | 0210/004 | 950099 | 827 | GRANT AVE | 250 | | 250 |
| 1/12/2010 | 26956 | 0226/011 | 977447 | 730 | SACRAMENTO ST | 250 | | 250 |
| 1/12/2010 | 26957 | 0226/013 | 968180 | 738 | SACRAMENTO ST | 250 | | 250 |
| 1/12/2010 | 26960 | 0228/022 | 971778 | 556 | COMMERCIAL ST | 250 | | 250 |
| 1/12/2010 | 26961 | 0237/013 | 953835 | 220 | BATTERY ST | 250 | | 250 |
| 1/12/2010 | 26963 | 0242/028 | 940319 | 825 | SACRAMENTO ST | 250 | | 250 |
| 1/12/2010 | 26966 | 0269/009 | 941747 | 342 | KEARNY ST | 250 | | 250 |
| 1/12/2010 | 26973 | 0551/001 | 942456 | 2371 | VAN NESS AV | 250 | | 250 |
| 1/12/2010 | 26975 | 0666/016 | 964166 | 1528 | FRANKLIN ST | 250 | | 250 |
| 1/12/2010 | 26977 | 0693/006 | 935049 | 924 | GEARY ST | 250 | | 250 |
| 1/12/2010 | 26984 | 0848/006 | 953925 | 546 | HAIGHT ST | 250 | | 250 |
| 1/12/2010 | 26985 | 0849/012 | 938534 | 428 | HAIGHT ST | 250 | | 250 |
| 1/12/2010 | 26986 | 0938/001 | 977050 | 2505 | LOMBARD ST | 250 | | 250 |
| 1/12/2010 | 26987 | 1160/005 | 955571 | 2000 | MCALLISTER ST | 250 | | 250 |
| 1/12/2010 | 26993 | 1844/046 | 974509 | 425 | JUDAH ST | 250 | 238.99 | 488.99 |
| 1/12/2010 | 26994 | 2030/012 | 962439 | 1232 | NORIEGA ST | 250 | | 250 |
| 1/12/2010 | 26993 | 3206/030 | 951390 | 4608-4610 | MISSION ST | 250 | | 250 |
| 1/12/2010 | 27002 | 3519/067 | 966939 | 500 | 09TH ST | 250 | | 250 |
| 1/12/2010 | 27005 | 3532/059 | 891996 | 65 | WOODWARD ST | 250 | | 250 |
| 1/12/2010 | 27008 | 3553/055 | 950738 | 430 | SOUTH VAN NESS AV | 150 | 238.99 | 388.99 |
| 1/12/2010 | 27009 | 3555/036 | 940846 | 1785 | 16TH ST | 250 | | 250 |
| 1/12/2010 | 27010 | 3569/049 | 972303 | 3089 | 16TH ST | 250 | | 250 |
| 1/12/2010 | 27012 | 3576/054 | 938401 | 3484 | 16TH ST | 250 | | 250 |
| 1/12/2010 | 27019 | 3590/030 | 935653 | 2243 | MISSION ST | 250 | | 250 |
| 1/12/2010 | 27029 | 3704/015 | 922309 | 942 | MISSION ST | 250 | 301.99 | 551.99 |
| 1/12/2010 | 27021 | 3726/047 | 952262 | 539 | NATOMA ST | 250 | | 250 |
| 1/12/2010 | 27022 | 3727/008 | 960250 | 1110 | HOWARD ST | 250 | | 250 |
| 1/12/2010 | 27029 | 3727/016 | 960260 | 1140 | HOWARD ST | 250 | | 250 |
| 1/12/2010 | 27029 | 3757/010 | 968288 | 83 | CONVERSE ST | 250 | | 250 |
| 1/12/2010 | 27036 | 4148/001A | 979447 | 2857 | 22ND ST | 250 | | 250 |



Report of Cost**Community Preservation and Blight Reduction Act****Special Assessment for FY2010-2011 Property Tax Bill (Tentative List)**

| Invoice Date | Invoice # | Block/Lot | Citation # | Street # | Street Name | Inspection Fee Balance | Abatement Balance | Total Property Blight Bill |
|--------------|-----------|-----------|------------|-----------|---------------|------------------------|-------------------|----------------------------|
| 1/12/2010 | 27037 | 4207/014B | 971278 | 2904 | 24TH ST | 250 | | 250 |
| 1/12/2010 | 27040 | 4273/026 | 908127 | 2987 | 25TH ST | 0 | 525.99 | 525.99 |
| 1/12/2010 | 27041 | 4274/009 | 960483 | 1354 | YORK ST | 250 | | 250 |
| 1/12/2010 | 27043 | 4378/006 | 972055 | 3210 | 03RD ST | 250 | | 250 |
| 1/12/2010 | 27044 | 4882/026 | 974343 | 1475 | CARROLL AV | 250 | | 250 |
| 1/12/2010 | 27046 | 5241/018 | 976514 | 500 | MENDELL ST | 250 | | 250 |
| 1/12/2010 | 27049 | 5325/015B | 955268 | 1596 | QUESADA AV | 250 | | 250 |
| 1/12/2010 | 27050 | 5361/017 | 978411 | 1595 | THOMAS AV | 250 | | 250 |
| 1/12/2010 | 27051 | 5384/002 | 962807 | 2080 | SILVER AV | 250 | 238.99 | 488.99 |
| 1/12/2010 | 27052 | 5402/063 | 979789 | 1025 | BAY SHORE BL | 250 | | 250 |
| 1/12/2010 | 27059 | 6237/055 | 954809 | 2200 | BAY SHORE BL | 250 | | 250 |
| 1/12/2010 | 27067 | 6956/001 | 933685 | 4734 | MISSION ST | 250 | | 250 |
| 1/12/2010 | 27069 | 7030/039 | 963741 | 5150 | MISSION ST | 250 | | 450 |
| 2/23/2010 | 28777 | 5696/036 | 910329 | 992 | PERALTA AVE | 250 | | 250 |
| 2/23/2010 | 28779 | 0145/008 | 979742 | 508 | BROADWAY | 250 | | 250 |
| 2/23/2010 | 28781 | 0216/006 | 987536 | 1416 | CLAY ST | 250 | | 250 |
| 2/23/2010 | 28782 | 0226/001 | 980854 | 649 | KEARNY ST | 250 | | 250 |
| 2/23/2010 | 28785 | 0302/030 | 906203 | 907 | POST ST | 250 | 603.99 | 853.99 |
| 2/23/2010 | 28791 | 0670/015 | 993756 | 1336 | VAN NESS AV | 250 | | 250 |
| 2/23/2010 | 28792 | 0670/019 | 982004 | 1465 | BUSH ST | 250 | | 250 |
| 2/23/2010 | 28794 | 0695/006 | 998863 | 1101 | VAN NESS AV | 250 | | 250 |
| 2/23/2010 | 28797 | 1840/037C | 983661 | 1400 | 14TH AV | 250 | | 250 |
| 2/23/2010 | 28798 | 3147/030 | 989602 | 4540 | MISSION ST | 250 | | 250 |
| 2/23/2010 | 28804 | 4045/003 | 986017 | 2171 | 03RD ST | 250 | | 250 |
| 2/23/2010 | 28806 | 4059/009 | 991161 | 2290 | 03RD ST | 250 | | 250 |
| 2/23/2010 | 28808 | 4227/001 | 991180 | 1200 | INDIANA ST | 250 | | 250 |
| 2/23/2010 | 28811 | 4964/026 | 989284 | 997 | HOLLISTER AV | 250 | | 250 |
| 2/23/2010 | 28812 | 5296/023A | 883017 | 1641 | LA SALLE AV | 250 | | 250 |
| 2/23/2010 | 28813 | 5329/038 | 923404 | 1831 | PALOU AV | 250 | | 250 |
| 2/23/2010 | 28815 | 6161/038 | 976275 | 935 | HOLYOKE ST | 250 | | 250 |
| 2/23/2010 | 28819 | 6944/001 | 989154 | 297 | LEE AV | 250 | | 250 |
| 2/23/2010 | 28821 | 6955/015 | 984617 | 4722 | MISSION ST | 250 | | 250 |
| 2/23/2010 | 28832 | 5307/002 | 986575 | 1500 | NEWCOMB AV | 250 | | 250 |
| 2/23/2010 | 28805 | 4058/010 | 986247 | 2225 | 03RD ST | 250 | | 250 |
| 3/8/2010 | 29310 | 0196/030 | 990815 | 726 | MONTGOMERY ST | 250 | | 250 |
| 3/13/2010 | 30255 | 4209/007 | 993784 | 1142-1146 | York St | 250 | | 250 |
| 3/13/2010 | 30258 | 3729/082 | 960505 | 203 | 09TH ST | 250 | | 250 |
| 3/17/2010 | 30736 | 0103/039 | 1000684 | 1541 | GRANT AVE | 250 | | 250 |
| 3/18/2010 | 31604 | 5323/013 | 994255 | 1449 | MENDELL ST | 250 | | 250 |

Report of Cost**Community Preservation and Blight Reduction Act****Special Assessment for FY2010-2011 Property Tax Bill (Tentative List)**

| Invoice Date | Invoice # | Block/Lot | Citation # | Street # | Street Name | Inspection Fee Balance | Abatement Balance | Total Property Blight Bill |
|--------------|-----------|-----------|------------|----------|---------------|------------------------|-------------------|----------------------------|
| 3/19/2010 | 31661 | 1765/021 | 995470 | 1392 | 11TH AVE | 250 | | 250 |
| 3/19/2010 | 31663 | 3532/014 | 999439 | 299 | VALENCIA ST | 250 | | 250 |
| 3/20/2010 | 31767 | 0194/012 | 995313 | 754 | WASHINGTON ST | 250 | | 250 |
| 3/21/2010 | 31768 | 1185/025 | 997875 | 1695 | FULTON ST | 250 | | 250 |
| 3/25/2010 | 31914 | 5319/045 | 1006258 | 1907 | OAKDALE AVE | 250 | | 250 |
| 3/26/2010 | 31987 | 4108/017 | 1001323 | 901 | TENNESSEE ST | 250 | | 250 |
| 3/30/2010 | 32439 | 0318/019 | 955490 | 665 | GEARY ST | 250 | | 250 |
| 3/30/2010 | 32440 | 0694/007 | 997507 | 1036 | GEARY ST | 250 | | 500 |
| 3/30/2010 | 32441 | 0716/001A | 977663 | 925 | GEARY ST | 250 | | 250 |
| 3/30/2010 | 32458 | 1443/019 | 1005569 | 4722 | GEARY BLVD | 250 | | 250 |
| 3/31/2010 | 32486 | 3552/012 | 1007646 | 1990 | FOLSOM ST | 250 | | 250 |
| | | | | | | 31,650.00 | 3,708.90 | 36,558.90 |



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, June 29, 2010

JUN 15 2010

Time: 3:00 p.m.

SAN FRANCISCO
PUBLIC LIBRARY

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Pursuant to the provisions of Public Works Code Sections 707, et seq., the Director of Public Works did cause the repair and replacement of sidewalks at various locations where the obligation to perform such repair or replacements is that of the property owners. A copy of the report for such repairs is attached, which contains the location, block and lot numbers, and the total amount due, including administrative costs.

At the public hearing, the Board of Supervisors will hear objections which may be raised by any property owner liable to be assessed, and may make such corrections, revisions or modifications to the report as it deems just. Confirmation of the report by the Board of Supervisors will result in special assessments of the property and addition of these assessments to the tax roll.

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

ORIGINAL ARTICLES

THE ANTHROPOLOGY OF THE
INDIAN RACES OF THE
AMERICAN CONTINENT

BY
DR. J. H. R. KELLOGG

OF THE
UNIVERSITY OF CHICAGO

RECEIVED BY THE EDITOR
JANUARY 1, 1900

THE EDITOR OF THE JOURNAL OF THE
ROYAL ANTHROPOLOGICAL INSTITUTE

DEAR SIR,

I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the

proper authorities for their consideration.

I am, Sir, very respectfully,
Yours faithfully,
J. H. R. KELLOGG

THE EDITOR OF THE JOURNAL OF THE
ROYAL ANTHROPOLOGICAL INSTITUTE

DEAR SIR,

I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information will be available for public review on Thursday, June 24, 2010.

A handwritten signature in black ink, appearing to read 'Angela Calvillo', with a stylized flourish at the end.

Angela Calvillo
Clerk of the Board

DATED: June 15, 2010
POSTED: June 15, 2010

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS

ORDER NO. 178,699

REPORT TO THE BOARD OF SUPERVISORS OF ASSESSEMENT COSTS OF SIDEWALK REPAIRS AT VARIOUS LOCATIONS, AND TRANSMITTING RESOLUTION TO SAID BOARD CONFIRMING SAID REPORT.

PURSUANT TO THE PROVISIONS OF SECTION 707 OF THE PUBLIC WORKS CODE, THE DIRECTOR OF PUBLIC WORKS DID CAUSE THE REPAIR AND REPLACEMENT OF SIDEWALKS AT VARIOUS LOCATIONS WHERE THE OBLIGATION TO PERFORM SUCH REPAIR OR REPLACEMENT IS THAT OF THE PROPERTY OWNERS.

IN ACCORDANCE WITH SECTION 707.1 OF THE PUBLIC WORKS CODE, EACH OF THE ASSESSMENTS INCLUDES THE EXPENSE OF THE WORK, PLUS TWELVE PERCENT THEREOF TO COVER THE COST OF CITY ADMINISTRATION.

THE ATTACHED IS AN ITEMIZED REPORT OF ASSESSMENT COSTS FOR THE WORK DONE.

THE OWNERS LISTED HAVE REQUESTED THE CITY TO PERFORM THE REPAIRS AND PLACE THE COST OF THE WORK AS AN ASSESSMENT ON THEIR PROPERTY TAXES, OR HAVE OTHERWISE FAILED, REFUSED, OR NEGLECTED TO REIMBURSE THE CITY FOR THE COST OF THE WORK. THEREFORE, IT IS RECOMMENDED THAT PURSUANT TO PROVISIONS OF SECTION 707.1 OF THE PUBLIC WORKS CODE, THAT THE BOARD OF SUPERVISORS ATTACH THE ASSESSED COSTS ONTO THE PROPERTY TAX BILLS OF THE AFORMENTIONED PROPERTIES.

ALSO PURSUANT TO SECTION 707.1 OF THE PUBLIC WORKS CODE, PRIOR TO THE ATTACHMENT OF THE ASSESSED COSTS ONTO THE PROPERTY TAX BILLS OF THE AFORMENTIONED LOCATIONS, THIS DEPARTMENT REQUESTS THE BOARD OF SUPERVISORS SCHEDULE A HEARING TO REVIEW THIS REPORT, AND HEAR ANY OBJECTIONS WHICH MAY BE RAISED BY ANY PROPERTY OWNER LIABLE TO BE ASSESSED FOR THE EXPENSE DESCRIBED IN THIS REPORT.

TRANSMITTED HERewith FOR THE BOARD'S CONSIDERATION IS THE FOLLOWING:

PROPOSED RESOLUTION CONFIRMING THE REPORT OF ASSESSMENT COSTS OF SIDEWALK REPAIRS AT THE STATED LOCATIONS, AND THE ATTACHMENT OF THESE COSTS ONTO THE PROPERTY TAX BILLS OF THOSE SAME LOCATIONS.



EDWARD D. REISKIN
DIRECTOR of PUBLIC WORKS

APPROVED: June 3, 2010

DISTRIBUTION:

DEPARTMENT FILES (2)
BOARD OF SUPERVISORS (3) (SIGNED)
ACCOUNTS (1)

| Report of Cost | | | | | | | |
|---|-----------|-----------|-------|-------------------|-----------------|---------------|--------------------------|
| Sidewalk Repair & Improvement Program | | | | | | | |
| Special Assessments for FY 10-11 Property Tax Bill (Tentative List) | | | | | | | |
| Invoice Date | Invoice # | Block/Lot | NTR # | Location | Invoice Balance | 12% Admin Fee | Total Property SIRP Bill |
| 02/08/08 | 869 | 1429033 | 36064 | 242 5th Ave | 2,608.20 | 312.984 | 2,921.18 |
| 07/25/08 | 4794 | 1179011 | 36805 | 700 Broderick St | 348.25 | 41.79 | 390.04 |
| 09/24/08 | 7259 | 1235003 | 37770 | 2100 Baker St | 298.50 | 35.82 | 334.32 |
| 09/26/08 | 7405 | 1236005 | 37779 | 141 Broderick St | 883.53 | 106.02 | 989.55 |
| 10/08/08 | 7911 | 1241005 | 37520 | 9 Broderick St | 747.71 | 89.73 | 837.44 |
| 10/16/08 | 8273 | 0847009 | 37998 | 608 Haight St | 248.75 | 29.85 | 278.60 |
| 10/16/08 | 8277 | 0847015 | 37792 | 630 Haight St | 89.55 | 10.75 | 100.30 |
| 10/31/08 | 9050 | 5296013 | 39123 | 1657 La Salle Ave | 626.85 | 75.22 | 702.07 |
| 11/13/08 | 9636 | 0860066 | 38001 | 250 Laussat St | 973.08 | 116.77 | 1,089.85 |
| 11/14/08 | 9702 | 5305007 | 39128 | 1722 Newcomb Ave | 99.50 | 11.94 | 111.44 |
| 11/14/08 | 9725 | 5312006 | 39167 | 1718 Oakdale Ave | 99.50 | 11.94 | 111.44 |
| 11/14/08 | 9730 | 5312032 | 39151 | 1771 Newcomb Ave | 99.50 | 11.94 | 111.44 |
| 11/14/08 | 9731 | 5312040 | 39135 | 1739 Newcomb Ave | 199.00 | 23.88 | 222.88 |
| 11/14/08 | 9733 | 5312044 | 39127 | 1725 Newcomb Ave | 557.20 | 66.86 | 624.06 |
| 11/14/08 | 9736 | 5312030 | 39152 | 1779 Newcomb Ave | 444.70 | 53.36 | 498.06 |
| 11/14/08 | 9768 | 5338046 | 39217 | 1731 Quesada Ave | 79.60 | 9.55 | 89.15 |
| 11/26/08 | 10184 | 5326026 | 39322 | 1515 Palou Ave | 1,231.78 | 147.81 | 1,379.59 |
| 12/05/08 | 10500 | 5324013B | 39252 | 1407 Lane St | 497.50 | 59.70 | 557.20 |
| 12/05/08 | 10508 | 5325015B | 39243 | 1596 Quesada Ave | 657.21 | 78.87 | 736.08 |
| 12/10/08 | 10707 | 5339002A | 39715 | 1602 Revere Ave | 1,393.00 | 167.16 | 1,560.16 |
| 12/23/08 | 11214 | 5305004 | 39068 | 1218 Newhall St | 1,343.25 | 161.19 | 1,504.44 |
| 01/09/09 | 11690 | 5355024 | 39693 | 318 Thornton Ave | 119.40 | 14.33 | 133.73 |
| 01/14/09 | 11889 | 5357008 | 39592 | 18 Latona St | 358.20 | 42.98 | 401.18 |
| 01/14/09 | 11899 | 5357051 | 39618 | 53 Pomona St | 895.50 | 107.46 | 1,002.96 |
| 01/26/09 | 12389 | 5325017 | 39335 | 1481 Palou Ave | 585.03 | 70.20 | 655.23 |
| 01/26/09 | 12397 | 5340021 | 39866 | 1505 Quesada Ave | 3,510.70 | 421.28 | 3,931.98 |
| 04/10/09 | 16484 | 5925016 | 40725 | 32 Felton St | 447.75 | 53.73 | 501.48 |
| 05/08/09 | 17662 | 3281026A | 41488 | 44 Fairfield Way | 378.10 | 45.37 | 423.47 |
| 05/08/09 | 17677 | 6913013 | 41590 | 250 Urbano Dr | 248.75 | 29.85 | 278.60 |
| 05/08/09 | 17678 | 6913017 | 41593 | 282 Urbano Dr | 447.75 | 53.73 | 501.48 |
| 05/08/09 | 17689 | 6914004 | 41216 | 100 Urbano Dr | 447.75 | 53.73 | 501.48 |
| 05/08/09 | 17693 | 6914009 | 41219 | 160 Urbano Dr | 199.00 | 23.88 | 222.88 |
| 05/08/09 | 17700 | 6914015 | 41225 | 240 Corona St | 783.90 | 94.07 | 877.97 |
| 05/08/09 | 17733 | 6915017 | 41461 | 1995 Ocean Ave | 646.75 | 77.61 | 724.36 |
| 05/11/09 | 17794 | 6915001 | 41451 | 1901 Ocean Ave | 474.18 | 56.90 | 531.08 |
| 05/15/09 | 18066 | 3280018 | 41376 | 1990 Ocean Ave | 2,500.00 | 300.00 | 2,800.00 |
| 05/15/09 | 18083 | 6934012 | 41324 | 306 Jules Ave | 298.50 | 35.82 | 334.32 |
| 05/19/09 | 18165 | 6936010 | 41349 | 1232 Capitol Ave | 883.53 | 106.02 | 989.55 |
| 05/22/09 | 18349 | 3198006 | 41358 | 1245 Plymouth Ave | 1,820.85 | 218.50 | 2,039.35 |
| 05/22/09 | 18350 | 3198007 | 41357 | 1239 Plymouth Ave | 433.10 | 51.97 | 485.07 |
| 05/22/09 | 18354 | 3198010 | 41355 | 1221 Plymouth Ave | 427.85 | 51.34 | 479.19 |
| 05/22/09 | 18365 | 3198026 | 41377 | 19 Southwood Dr | 378.10 | 45.37 | 423.47 |
| 05/22/09 | 18372 | 6941018 | 41283 | 231 Granada Ave | 684.53 | 82.14 | 766.67 |
| 05/22/09 | 18377 | 6941035 | 41247 | 218 Miramar Ave | 180.00 | 21.60 | 201.60 |
| 05/22/09 | 18385 | 6941065A | 41302 | 289 Granada Ave | 597.00 | 71.64 | 668.64 |
| 05/22/09 | 18396 | 6942013 | 41422 | 1141 Plymouth Ave | 597.00 | 71.64 | 668.64 |
| 05/22/09 | 18399 | 6942025 | 41448 | 324 Holloway Ave | 819.04 | 98.28 | 917.32 |
| 05/22/09 | 18401 | 6942028 | 41447 | 344 Holloway Ave | 585.03 | 70.20 | 655.23 |
| 05/22/09 | 18402 | 6942035 | 41444 | 230 Granada Ave | 447.75 | 53.73 | 501.48 |
| 06/05/09 | 18838 | 3167006 | 41567 | 819 Faxon Ave | 149.25 | 17.91 | 167.16 |
| 06/05/09 | 18839 | 3167009 | 41557 | 801 Faxon Ave | 1,094.50 | 131.34 | 1,225.84 |
| 06/05/09 | 18860 | 3196026 | 41716 | 135 Southwood Dr | 938.05 | 112.57 | 1,050.62 |
| 06/05/09 | 18867 | 3282001 | 41515 | 101 Kenwood Way | 955.20 | 114.62 | 1,069.82 |
| 06/11/09 | 19083 | 5409001 | 39653 | 18 Ceres St | 543.73 | 65.25 | 608.98 |
| 06/12/09 | 19154 | 0256003 | 41950 | 621 Stockton St | 985.05 | 118.21 | 1,103.26 |
| 06/12/09 | 19166 | 0272004A | 41964 | 618 Bush St | 1,194.00 | 143.28 | 1,337.28 |
| 06/19/09 | 19447 | 0243054 | 41871 | 105 Miles St | 348.25 | 41.79 | 390.04 |
| 07/10/09 | 20287 | 0192012 | 41855 | 1116 Powell St | 298.50 | 35.82 | 334.32 |
| 07/10/09 | 20307 | 0243017 | 41868 | 800 Powell St | 746.25 | 89.55 | 835.80 |
| 07/17/09 | 20521 | 0160013 | 42001 | 1310 Powell St | 479.25 | 57.51 | 536.76 |
| 07/17/09 | 20532 | 0162020 | 41886 | 245 Columbus Ave | 437.80 | 52.54 | 490.34 |

| Report of Cost | | | | | | | |
|---|-----------|-----------|--------|-------------------------|-----------------|---------------|--------------------------|
| Sidewalk Repair & Improvement Program | | | | | | | |
| Special Assessments for FY 10-11 Property Tax Bill (Tentative List) | | | | | | | |
| Invoice Date | Invoice # | Block/Lot | NTR # | Location | Invoice Balance | 12% Admin Fee | Total Property SIRP Bill |
| 07/17/09 | 20547 | 0256017A | 41923 | 750 Powell St | 293.85 | 35.26 | 329.11 |
| 07/27/09 | 20869 | 0272009 | 41893 | 626 Powell St | 139.00 | 16.68 | 155.68 |
| 10/02/09 | 23211 | 1724035 | 40852 | 1200 27th Ave | 2,288.50 | 274.62 | 2,563.12 |
| 10/02/09 | 23214 | 4152037 | 38288 | 1021 York St | 2,495.43 | 299.45 | 2,794.88 |
| 10/16/09 | 23676 | 3547002A | 927591 | 1880 Mission St | 1,293.50 | 155.22 | 1,448.72 |
| 10/16/09 | 23677 | 3547003 | 927676 | 1895 Mission St | 10,845.50 | 1,301.46 | 12,146.96 |
| 10/16/09 | 23679 | 3547004 | 927598 | 1886 Mission St | 9,253.50 | 1,110.42 | 10,363.92 |
| 10/23/09 | 23880 | 3547027 | 927688 | 80 Julian Ave | 4,419.06 | 530.29 | 4,949.35 |
| 10/23/09 | 23890 | 3547005 | 927680 | 1660 15th St | 716.40 | 85.97 | 802.37 |
| 10/30/09 | 24213 | 3547029 | 927679 | 71 Julian Av | 1,393.00 | 167.16 | 1,560.16 |
| 10/30/09 | 24214 | 3569001 | 927592 | 3017 16th St | 1,094.50 | 131.34 | 1,225.84 |
| 10/30/09 | 24230 | 3569075 | 928193 | 3073 16th St | 1,194.00 | 143.28 | 1,337.28 |
| 11/06/09 | 24460 | 3575013 | 927643 | 666 South Van Ness Av | 557.20 | 66.86 | 624.06 |
| 11/06/09 | 24463 | 3575019 | 927586 | 698 South Van Ness Ave | 427.85 | 51.34 | 479.19 |
| 11/06/09 | 24472 | 3576006 | 928127 | 2140 Mission St | 2,388.00 | 286.56 | 2,674.56 |
| 11/06/09 | 24482 | 3576038 | 927754 | 39 Lexington St | 983.03 | 117.96 | 1,100.99 |
| 11/06/09 | 24484 | 3576044 | 928064 | 57 Sycamore St | 199.00 | 23.88 | 222.88 |
| 11/06/09 | 24488 | 3576054 | 927632 | 3484 18th St | 761.50 | 91.38 | 852.88 |
| 11/06/09 | 24490 | 3576067 | 928131 | 36 Sycamore St | 597.00 | 71.64 | 668.64 |
| 11/06/09 | 24493 | 3576078 | 928207 | 623 Valencia St | 696.50 | 83.58 | 780.08 |
| 11/13/09 | 24731 | 3569038 | 928278 | 599 Valencia St | 8,323.24 | 998.79 | 9,322.03 |
| 11/13/09 | 24743 | 3570009A | 928809 | 3214 17th St | 1,791.00 | 214.92 | 2,005.92 |
| 11/20/09 | 25125 | 3590018 | 928463 | 396 Capp St | 1,442.75 | 173.13 | 1,615.88 |
| 11/20/09 | 25138 | 3590054 | 928399 | 375 Capp St | 348.25 | 41.79 | 390.04 |
| 11/20/09 | 25145 | 3590063 | 928382 | 315 Capp St | 1,170.06 | 140.41 | 1,310.47 |
| 11/25/09 | 25296 | 4758001A | 41102 | 1201 Palou Ave | 1,779.03 | 213.48 | 1,992.51 |
| 12/04/09 | 25610 | 3548036A | 929421 | 1342 Minna St | 99.50 | 11.94 | 111.44 |
| 12/04/09 | 25618 | 3548053 | 929321 | 1325 Minna St | 268.65 | 32.24 | 300.89 |
| 12/11/09 | 25877 | 3595018 | 929018 | 3466 20th St | 805.95 | 96.71 | 902.66 |
| 12/11/09 | 25879 | 3595020 | 929016 | 3476 20th St | 1,729.28 | 207.51 | 1,936.79 |
| 12/11/09 | 25888 | 3595048 | 929615 | 3440 20th St | 2,149.20 | 257.90 | 2,407.10 |
| 12/18/09 | 26148 | 3595002 | 929640 | 808 South Van Ness Ave | 960.50 | 115.26 | 1,075.76 |
| 12/18/09 | 26150 | 3596070 | 928452 | 218 Lexington St | 497.50 | 59.70 | 557.20 |
| 12/18/09 | 26164 | 3548025 | 929280 | 1548 15th St | 99.50 | 11.94 | 111.44 |
| 12/18/09 | 26167 | 3548041 | 929467 | 1304 Minna St | 99.50 | 11.94 | 111.44 |
| 12/18/09 | 26179 | 3548087 | 929455 | 221 14th St | 99.50 | 11.94 | 111.44 |
| 12/31/09 | 26495 | 3596049 | 928672 | 280 San Carlos St | 765.03 | 91.80 | 856.83 |
| 12/31/09 | 26501 | 3596088 | 928518 | 875 Valencia St | 99.50 | 11.94 | 111.44 |
| 12/31/09 | 26513 | 3596113 | 928489 | 899 Valencia St | 8,756.00 | 1,050.72 | 9,806.72 |
| 12/31/09 | 26519 | 3596017A | 929015 | 277 San Carlos St | 179.10 | 21.49 | 200.52 |
| 12/31/09 | 26562 | 3609077 | 930318 | 319 Lexington St | 179.10 | 21.49 | 200.59 |
| 01/11/10 | 26872 | 3610056 | 930343 | 996 South Van Ness Ave | 646.75 | 77.61 | 724.36 |
| 01/15/10 | 27313 | 3609004 | 930185 | 2424 Mission St | 164.50 | 19.74 | 184.24 |
| 01/15/10 | 27316 | 3609005 | 930170 | 2432 Mission St | 497.50 | 59.70 | 557.20 |
| 01/15/10 | 27339 | 3610024 | 931560 | 2465 Mission St | 945.25 | 113.43 | 1,058.68 |
| 01/15/10 | 27355 | 3610066 | 930953 | 3415 20th St | 19.90 | 2.39 | 22.29 |
| 01/15/10 | 27367 | 3589015 | 928700 | 2282 Mission St | 99.50 | 11.94 | 111.44 |
| 01/15/10 | 27373 | 3589026 | 928877 | 163 San Carlos St | 358.20 | 42.98 | 401.18 |
| 01/15/10 | 27380 | 3589048 | 928905 | 174 San Carlos St | 99.50 | 11.94 | 111.44 |
| 01/15/10 | 27381 | 3589048A | 928903 | 180 San Carlos St | 99.50 | 11.94 | 111.44 |
| 01/15/10 | 27390 | 3589068 | 929032 | 117 Lexington St | 149.25 | 17.91 | 167.16 |
| 02/03/10 | 28101 | 3554007 | 929489 | 3004 16th St | 65.00 | 7.80 | 72.80 |
| 02/03/10 | 28105 | 3554012 | 929494 | 3036 16th St | 199.00 | 23.88 | 222.88 |
| 02/03/10 | 28140 | 3615046 | 930481 | 675 Capp St | 398.00 | 47.76 | 445.76 |
| 02/03/10 | 28146 | 3570047B | 928919 | 2939 16th St | 329.25 | 39.51 | 368.76 |
| 02/05/10 | 28279 | 3616018 | 931010 | 1057 Valencia St | 149.25 | 17.91 | 167.16 |
| 02/05/10 | 28301 | 3616001 | 929918 | 2500 Mission St | 2,961.06 | 355.33 | 3,316.39 |
| 02/22/10 | 28702 | 3637002 | 930640 | 1106 South Van Ness Ave | 1,871.50 | 224.58 | 2,096.08 |
| 02/22/10 | 28716 | 3637053 | 930743 | 741 Capp St | 784.03 | 94.08 | 878.11 |
| 02/22/10 | 28717 | 3637054 | 930735 | 735 Capp St | 983.03 | 117.96 | 1,100.99 |
| 02/25/10 | 28959 | 3637023 | 930856 | 2671 Mission St | 268.65 | 32.24 | 300.89 |

| Report of Cost | | | | | | | |
|---|-----------|-----------|--------|-------------------------|-----------------|---------------|--------------------------|
| Sidewalk Repair & Improvement Program | | | | | | | |
| Special Assessments for FY 10-11 Property Tax Bill (Tentative List) | | | | | | | |
| Invoice Date | Invoice # | Block/Lot | NTR # | Location | Invoice Balance | 12% Admin Fee | Total Property SIRP Bill |
| 03/05/10 | 29299 | 3596015 | 932534 | 2374 Mission St | 796.00 | 95.52 | 891.52 |
| 03/08/10 | 29345 | 3569018 | 927646 | 67 Hoff St | 1,522.35 | 182.68 | 1,705.03 |
| 03/12/10 | 30173 | 3548009 | 929356 | 354 South Van Ness Ave | 861.00 | 103.32 | 964.32 |
| 03/12/10 | 30179 | 3548065 | 929290 | 1340 Natoma St | 597.00 | 71.64 | 668.64 |
| 03/12/10 | 30184 | 3554052 | 929733 | 1643 15th St | 983.03 | 117.96 | 1,100.99 |
| 03/15/10 | 30234 | 3636030 | 930200 | 1167 Valencia St | 497.50 | 59.70 | 557.20 |
| 03/19/10 | 31725 | 3643015A | 932003 | 3360 24th St | 1,032.78 | 123.93 | 1,156.71 |
| 03/26/10 | 32036 | 3642012C | 931417 | 1292 South Van Ness Ave | 447.75 | 53.73 | 501.48 |
| 03/26/10 | 32060 | 3642048 | 931603 | 886 Capp St | 89.55 | 10.75 | 100.30 |
| 03/26/10 | 32073 | 3642064 | 931457 | 3233 23rd St | 1,293.50 | 155.22 | 1,448.72 |
| 04/02/10 | 32637 | 6517008 | 934326 | 918 Capp St | 547.25 | 65.67 | 612.92 |
| 04/02/10 | 32641 | 6517013 | 932303 | 958 Capp St | 985.05 | 118.21 | 1,103.26 |
| 04/02/10 | 32642 | 6517014 | 932298 | 972 Capp St | 895.50 | 107.46 | 1,002.96 |
| 04/02/10 | 32653 | 6518007 | 932353 | 1356 South Van Ness Ave | 875.60 | 105.07 | 980.67 |
| 04/02/10 | 32671 | 6518028 | 932360 | 3233 24th St | 89.55 | 10.75 | 100.30 |
| 04/02/10 | 32674 | 6518035 | 932355 | 1334 South Van Ness Ave | 1,062.63 | 127.52 | 1,190.15 |
| 04/09/10 | 32970 | 6517017 | 932289 | 994 Capp St | 6,259.83 | 751.18 | 7,011.01 |
| 04/16/10 | 33300 | 6529008 | 931794 | 2984 Mission St | 995.00 | 119.40 | 1,114.40 |
| 04/16/10 | 33308 | 6529034 | 931802 | 3418 26th St | 3,283.50 | 394.02 | 3,677.52 |
| 04/23/10 | 33601 | 636008A | 930087 | 2658 Mission St | 139.30 | 16.72 | 156.02 |
| 04/23/10 | 33613 | 6530003A | 931524 | 430 Bartlett St | 1,659.63 | 199.16 | 1,858.79 |
| 04/23/10 | 33617 | 6530010A | 931516 | 480 Bartlett St | 2,747.46 | 329.70 | 3,077.16 |
| 04/23/10 | 33618 | 6530011 | 931515 | 492 Bartlett St | 497.50 | 59.70 | 557.20 |
| 04/23/10 | 33619 | 6530011A | 931706 | 494 Bartlett St | 1,381.03 | 165.72 | 1,546.75 |
| 04/23/10 | 33627 | 6530024 | 931737 | 1411 Valencia St | 1,094.50 | 131.34 | 1,225.84 |
| 04/23/10 | 33649 | 6569018 | 932086 | 502 Bartlett | 761.50 | 91.38 | 852.88 |
| 04/23/10 | 33652 | 6569021 | 931997 | 536 Bartlett St | 1,094.50 | 131.34 | 1,225.84 |
| 04/23/10 | 33653 | 6569026 | 931993 | 519 Bartlett St | 1,592.00 | 191.04 | 1,783.04 |
| 04/23/10 | 33656 | 6569031 | 931990 | 3413 26th St | 696.50 | 83.58 | 780.08 |
| 04/30/10 | 33922 | 6570003A | 932102 | 3367 26th St | 99.50 | 11.94 | 111.44 |
| 04/30/10 | 33929 | 6570007 | 932106 | 3031 Mission St | 248.75 | 29.85 | 278.60 |
| 04/30/10 | 33936 | 6527003 | 931984 | 1422 South Van Ness Ave | 298.50 | 35.82 | 334.32 |
| 04/30/10 | 33948 | 6527037 | 931889 | 1454 South Van Ness Ave | 1,533.10 | 183.97 | 1,717.07 |
| 04/30/10 | 33955 | 6528003 | 931842 | 1014 Capp St | 918.70 | 110.24 | 1,028.94 |
| 04/30/10 | 33960 | 6528009 | 931682 | 1056 Capp St | 258.70 | 31.04 | 289.74 |
| 04/30/10 | 33965 | 6528015 | 931635 | 1090 Capp St | 1,530.28 | 183.63 | 1,713.91 |
| 04/30/10 | 33971 | 6528052 | 931767 | 2999 Mission St | 895.50 | 107.46 | 1,002.96 |
| 05/10/10 | 34247 | 6969005F | 932979 | 809 Geneva Ave | 248.75 | 29.85 | 278.60 |
| 05/10/10 | 34249 | 6969005G | 933050 | 801 Geneva Ave | 696.50 | 83.58 | 780.08 |
| 05/11/10 | 34256 | 6969007 | 932987 | 2 Gloria Ct | 725.05 | 87.01 | 812.06 |
| 05/11/10 | 34275 | 7030006 | 933750 | 5162 Mission St | 696.50 | 83.58 | 780.08 |
| 05/11/10 | 34289 | 7030013 | 933878 | 32 Niagara Ave | 59.70 | 7.16 | 66.86 |
| 05/11/10 | 34290 | 7030014 | 933882 | 40 Niagara Ave | 398.00 | 47.76 | 445.76 |
| 05/11/10 | 34312 | 7030039 | 933752 | 5150 Mission St | 1,611.90 | 193.43 | 1,805.33 |
| 05/14/10 | 34506 | 6529027 | 931909 | 3421 25TH St | 2,673.68 | 320.84 | 2,994.52 |
| 05/14/10 | 34517 | 6410006 | 933631 | 947 Geneva Ave | 99.50 | 11.94 | 111.44 |
| 05/14/10 | 34525 | 6410024 | 933654 | 5101 Mission St | 1,293.50 | 155.22 | 1,448.72 |
| 05/14/10 | 34534 | 6347004 | 933042 | 724 London St | 646.75 | 77.61 | 724.36 |
| 05/14/10 | 34538 | 6347012 | 932809 | 766 London St | 671.81 | 80.62 | 752.43 |
| 05/14/10 | 34565 | 6411029 | 933515 | 950 Geneva Ave | 298.50 | 35.82 | 334.32 |
| 05/14/10 | 34572 | 6411037 | 933539 | 910 Geneva Ave | 1,393.00 | 167.16 | 1,560.16 |
| 05/14/10 | 34584 | 7030004B | 933757 | 5130 Mission St | 398.00 | 47.76 | 445.76 |
| | | | | | 179,131.87 | 21,495.82 | 200,627.69 |

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, June 29, 2010 - 2:00 PM

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

JUN 25 2010

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgbos.org

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

Budget and Finance Sub-Committee

Supervisors Avalos, Mirkarimi, Elsbernd

City and School District Select Committee

Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza

City Operations and Neighborhood Services Committee

Supervisors Chu, Avalos, Dufty

Government Audit and Oversight Committee

Supervisors Mar, Chiu, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Mar, Chiu

Public Safety Committee

Supervisors Chiu, Mirkarimi, Elsbernd

Rules Committee

Supervisors Campos, Alioto-Pier, Mar

Meeting Days

Wednesday

1:30 PM

Wednesday

11:00 AM

2nd and 4th Thursday

3:30 PM

2nd and 4th Monday

10:30 AM

2nd and 4th Thursday

1:00 PM

Monday

1:00 PM

1st and 3rd Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfbos.org/meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

Agenda Item Information

Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget and Legislative Analyst report
- 3) Department or Agency cover letter and/or report
- 4) Public correspondence

These items will be available for review at 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244, Reception Desk on the Friday preceding a regularly scheduled Board meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the May 25, 2010, Board Meeting Minutes.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 28

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

1. 100712 **[Increasing Animal Care and Control Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Health Code, Article 1, by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to increase fees and set new fees for the Department of Animal Care and Control and to update language to reflect current practices, amending Section 41.25 to authorize administrative citations for violation of specified Health Code sections, amending Section 41.26 to update language regarding fee changes in subsequent fiscal years, and making environmental findings.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 100722 [San Francisco Enterprise Zone Tax Credit Forms and Fee]**Sponsor: Mayor**

Ordinance amending Administrative Code, Chapter 2A, Article XIX, by amending Section 2A.270 to authorize the Economic and Workforce Development Department to process forms and supporting documentation to establish eligibility for San Francisco Enterprise Zone tax credits, authorizing fee, and making environmental findings.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Campos

3. 100743 [Refunding Certificates of Participation - Not to Exceed \$155,000,000]**Sponsor: Mayor**

Ordinance authorizing the execution and delivery of Refunding Certificates of Participation in an aggregate principal amount not to exceed \$155,000,000 to refinance certain certificates of participation that financed various capital improvement projects; approving the form of a Trust Agreement between the City and County of San Francisco and the trustee (including certain indemnities contained therein); authorizing the selection of a trustee (Trustee); approving the form of a Property Lease between the City and the Trustee named therein relating to certain property generally known as the San Bruno Complex and certain other City-owned property; approving the form of a Project Lease between the City and the Trustee (including certain indemnities contained therein); approving the form of an Escrow Agreement between the City and an Escrow Agent named therein (including certain indemnities contained therein); approving the form of an Official Notice of Sale and a Notice of Intention to Sell the Refunding Certificates of Participation, if sold by competitive sale; authorizing certain actions relating to the Refunding Certificates of Participation, if sold by negotiated sale and approving the form of a Purchase Contract between the City and an Underwriter named therein; approving the form of an official statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Refunding Certificates of Participation; approving modifications to documents; and ratifying previous actions taken in connection therewith.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mar, Chu, Daly

4. 100583 **[Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]**

Sponsor: Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2010, through June 30, 2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 100608 **[Memorandum of Understanding - Multiple Unions (Crafts Coalition)]**

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2010, through June 30, 2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 100609 **[Memorandum of Understanding - San Francisco Institutional Police Officers' Association]**

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2010, through June 30, 2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 100610 **[Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 100611 **[Memorandum of Understanding - International Brotherhood of Electrical Workers, Local Union 6]**
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 100612 **[Memorandum of Understanding - Municipal Attorneys' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association, to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 100613 **[Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, Supervising Probation Officers]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 100614 **[Memorandum of Understanding - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

12. 100615 **[Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
13. 100616 **[Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
14. 100617 **[Memorandum of Understanding - Transport Workers Union of America, Local 200]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 100618 **[Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Non-MTA 7410)]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 100619 **[Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Multi-Unit)]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2010, through June 30, 2012.
06/22/2010; PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

17. 100620 **[Memorandum of Understanding - Service Employees International Union, Local 1021]**
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to be effective July 1, 2010, through June 30, 2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
18. 100621 **[Memorandum of Understanding, Amendment No. 4 – Municipal Executives' Association]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
19. 100622 **[Memorandum of Understanding, Amendment No. 3 - International Federation of Professional and Technical Engineers, Local 21]**
Sponsor: Mayor
Ordinance adopting and implementing the Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
20. 100623 **[Memorandum of Understanding, Amendment No. 2 – San Francisco District Attorney Investigators' Association]**
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award that establishes Amendment No. 2 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by implementing specified terms and conditions of employment for FY2010-2011.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 100624 **[Memorandum of Understanding, Amendment No. 4 - Union of American Physicians and Dentists (Unit 8-CC)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
22. 100625 **[Memorandum of Understanding, Amendment No. 3 - Union of American Physicians and Dentists (Unit 11-AA)]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
23. 100626 **[Memorandum of Understanding, Amendment No. 1 - Laborers International Union, Local 261]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 1 to the 2009-2011 Memorandum of Understanding between the City and County of San Francisco and the Laborers, Local 261 by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?
24. 100627 **[Memorandum of Understanding, Amendment No. 3 - Automotive Machinists Union, Local 1414]**
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

25. 100628 [Compensation for Unrepresented Employees]**Sponsor: Mayor**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2010.

06/22/2010; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Alioto-Pier, Mar

26. 100689 [Settlement of Lawsuit - Nelson A. Estival - \$57,500]

Ordinance authorizing settlement of the lawsuit filed by Nelson A. Estival against the City and County of San Francisco for \$57,500; the lawsuit was filed on July 24, 2008, in San Francisco Superior Court, Case No. CGC 09-477871, entitled Estival v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 100690 [Settlement of Lawsuit - Anthony Landry - \$70,000]

Ordinance authorizing settlement of the lawsuit filed by Anthony Landry against the City and County of San Francisco for \$70,000; the lawsuit was filed on July 17, 2008, in the San Francisco Superior Court, Case No. CGC 08-744565, entitled Anthony Landry v. City and County of San Francisco. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 100691 [Settlement of Lawsuit - Bayshore Sanitary District - \$407,000]

Ordinance authorizing settlement of the lawsuit entitled Bayshore Sanitary District v. City and County of San Francisco, et al., filed on November 21, 2007, in San Francisco Superior Court, Case No. 07-469434. Pursuant to the proposed settlement, the City will execute a revenue refund adjustment for the Bayshore Sanitary District's sewer services billings in the amount of \$407,000. In return, the Bayshore Sanitary District will implement measures to ensure that future errors in measuring wastewater flow are promptly detected and corrected and limit its recovery of any overcharges due to equipment error in the future. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

29. 100581 [General Obligation Bonds - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds 2010 - Estimated Cost \$39,140,000]
Sponsor: Mayor
Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$39,140,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

06/15/2010; CONTINUED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos

30. 100095 [Citywide Coordination of Information and Communications Technology]
Sponsor: Chiu
Ordinance amending Department of Technology and Committee on Information Technology responsibilities, establishing the position and duties of the Chief Information Officer, eliminating the Telecommunications Commission, adding San Francisco Administrative Code Chapter 22A, Sections 22A.1, 22A.2, 22A.3, 22A.4, 22A.5, 22A.6 and 22A.7, and deleting San Francisco Administrative Code Sections 3.24, 3.25, 11.85, 11.86, 11.87, 11.88 and 11.89 to implement these changes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 100704 [Emergency Medical Technician Certificate Fee Increase]
Sponsor: Mayor
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 2, by amending Section 249.8 to increase fees for Emergency Medical Technician certificates, and making environmental findings.
Question: Shall this Ordinance be PASSED ON FIRST READING?
32. 100705 [Mayor's Office of Housing Administrative Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 8, by adding Section 8.43 to establish fees for applications to and subordination requests from the Mayor's Office of Housing.
Question: Shall this Ordinance be PASSED ON FIRST READING?
33. 100707 [Refuse Collection Service Liens and Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Health Code, Article 6, by amending Sections 291.7, 291.13, 291.14, and 293.3, to allow the Department of Public Health to recover its full costs of processing residential and commercial liens for refuse collection services, provide a process for the Controller to adjust fees annually based on program costs, eliminate the monetary cap on the continuing appropriation account, clarify lien hearing procedures, and add an employee class to enforce Sections 293 through 293.2.
Question: Shall this Ordinance be PASSED ON FIRST READING?
34. 100708 [Golden Gate Park Concourse Underground Parking Facility Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.35 to increase the fees at the Golden Gate Park Concourse Underground Parking Facility, and making environmental findings.
Question: Shall this Ordinance be PASSED ON FIRST READING?
35. 100709 [Police Department Permit Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Police Code, Article 1, by amending Section 2.1 to include a definition of "service fee" and amending Sections 2.26 and 2.27 to increase or establish certain Police Department permit filing, service and license fees and to delete duplicative or obsolete language, and making environmental findings.
Question: Shall this Ordinance be PASSED ON FIRST READING?
36. 100710 [Increasing Street Artist Certificate Fee]
Sponsor: Mayor
Ordinance amending the San Francisco Police code, Article 24, by amending Section 2404.1 to increase the fee for a Street Artist Certificate and making environmental findings.
Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 100711 **[Establishing a Fee to Regulate Revenue Control Equipment at Parking Stations]**
Sponsor: Mayor
Ordinance amending the Business and Tax Regulation Code, Article 22, by adding Sections 2219.5, 2219.6, 2219.7, 2219.8, 2219.9, 2219.10 and 2219.11, to impose a fee on all parking stations that are subject to the requirements in Article 22 to recover administrative and enforcement costs.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
38. 100713 **[Fire Department Services Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Fire Code, Appendix Chapter 1, Section 112, by amending Sections 112.8, 112.15, and Table 112-B to increase fees for certain Fire Department services, and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
39. 100714 **[Fire Department Emergency Medical Services Fees]**
Sponsor: Mayor
Ordinance amending the San Francisco Health Code, Article 3, by amending Section 128.1 to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
40. 100717 **[Registration Fees for Inspecting and Testing Commercial Weighing and Measuring Devices]**
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending Section 1.13-5 to update registration fees for inspecting and testing commercial devices as authorized by California Business and Professions Code Sec. 12210.5 and set by the California Department of Food and Agriculture, and deleting obsolete language.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
41. 100716 **[County Agricultural Commissioner's Schedule of Fees for Weighing and Measuring Devices]**
Sponsor: Mayor
Resolution approving a schedule of fees to be charged by the County Agriculture Commissioner for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a).
- Question: Shall this Resolution be ADOPTED?

42. 100718 [Structural Pest Control Registration and Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code, Chapter 1, by amending Section 1.13-1 to establish reasonable registration fees for structural pest control businesses as authorized by the California Food and Agricultural Code Sections 15204 and 15204.5 and set by the California Department of Food and Agriculture, and deleting obsolete language.

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 100719 [Patient Rates]**Sponsor: Mayor**

Ordinance amending the San Francisco Health Code, Article 3, by amending Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 100720 [Food Permit Requirements and Fees for Caterers]**Sponsor: Mayor**

Ordinance amending San Francisco Health Code, Article 8, by amending Section 451, and amending San Francisco Business and Tax Regulations Code, Article 2, by amending Section 249.1, and adding Section 249.22 to update definitions and add fees and permitting requirements for caterers, and provide a mechanism for the Controller's Office annually to adjust fees to track program costs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 100721 [Above-ground Storage Tank Fees]**Sponsor: Mayor**

Ordinance amending San Francisco Health Code, Article 21, by amending Sections 1102 and 1176, by adding above-ground storage tank definitions and fees.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 100723 [Building Code – Unsafe Building, Printing, and Reproduction Fees]**Sponsor: Mayor**

Ordinance amending the Building Code, Chapter 1A, to amend Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 100741 **[Accept and Expend Grant - Human Service Agency's Temporary Assistance to Needy Families Emergency Contingency Fund - Not to Exceed \$153,741,681]**
Sponsor: Mayor
Ordinance amending the FY2010-2011 Annual Salary Ordinance to reflect the addition of temporary salaries of \$22,698,000 and authorizing the Human Services Agency to retroactively accept and expend a grant not to exceed the amount of \$52,038,115 from the United States Department of Health and Human Services, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program, and authorizing the Human Services Agency to accept and expend an additional grant not to exceed \$101,703,566 pending final approval by the U.S. Congress to extend federal funding beyond September 30, 2010, for a total amount not to exceed \$153,741,681; placing \$101,703,566 on Controller's reserve.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
48. 100365 **[Amendment to Agreement - Avaya, Inc., to Extend the Term and Increase the Amount of the Contract - \$12,511,756]**
Resolution retroactively authorizing the Department of Technology to enter into the Fourth Amendment of an agreement with Avaya, Inc., and increasing the maximum expenditure under the contract to \$12,511,756. (Department of Technology)
- (Supervisor Campos dissented in Committee.)
- Question: Shall this Resolution be ADOPTED?**
49. 100735 **[Public Education Enrichment Fund - San Francisco Unified School District FY2010-2011]**
Sponsor: Mayor
Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2010-2011.
- Question: Shall this Resolution be ADOPTED?**
50. 100736 **[Public Education Enrichment Fund - Children and Families Commission FY2010-2011]**
Sponsor: Mayor
Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for FY2010-2011.
- Question: Shall this Resolution be ADOPTED?**
51. 100740 **[Adjusting the Access Line Tax with the Consumer Price Index of 2010]**
Sponsor: Mayor
Resolution concurring with the Controller's establishment of the Consumer Price Index for 2010, and adjusting the Access Line Tax by the same rate.
- Question: Shall this Resolution be ADOPTED?**

Recommendation of the Budget and Finance Sub-Committee

Present: Supervisors Avalos, Mirkarimi, Elsbernd

52. 100557 [Assessment Appeals Board - Increasing Administrative Processing Fees, Adding Certain Waivers, and Changing to an Hourly Rate for Findings of Fact Fees]

Sponsor: Avalos

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards," by amending Section 2B.9 to increase the administrative processing fee per application from \$30 to \$60 by adding a fee waiver for any property assessed on the roll at a value of \$7,500 or less, and by adding a fee waiver for any property where there is a difference of \$7,500 or less between the taxpayer's opinion of value on the application and the subject property's assessed value on the roll; and by amending Section 2B.11 to change the findings of fact fees from a sliding scale of \$100 to \$1,000 to an hourly rate of \$215 with a maximum of 30 hours billed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Sub-Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Elsbernd

53. 100649 [Lease of Bill Graham Civic Auditorium to BGCA Management, LLC - 99 Grove Street]

Sponsors: Mayor; Dufty

Resolution approving and authorizing a lease of the Bill Graham Civic Auditorium located at 99 Grove Street to BGCA Management, LLC for a term of approximately 20 years, with two five-year extension options, under San Francisco Charter Section 9.118; and making findings that the lease is in conformance with the City's General Plan and is categorically exempt from environmental review under CEQA.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 100770, approved on June 22, 2010.)

Board of Supervisors Sitting as a Committee of the Whole

54. 100771 **[Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]**
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Action: _____

Committee of the Whole Adjourn and Report

55. 100772 **[Report of Assessment Costs for Sidewalk and Curb Repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

(Pursuant to File No. 100773, approved on June 22, 2010.)

Board of Supervisors Sitting as a Committee of the Whole

56. 100774 **[Public Hearing - Report of Assessment Costs for Blighted Properties]**
Hearing to consider objections to a report of assessment costs submitted by the Director of Public Works for inspection and/or abatement of blighted conditions ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report

57. 100775 **[Report of Assessment Costs for Blighted Properties]**
Resolution approving report of assessment costs submitted by the Director of Public Works for inspection and/or repair of blighted properties ordered to be performed by said Director pursuant to Chapter 80 of the Administrative Code, the costs thereof having been paid for out of a blight abatement fund. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

58. 100786 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 900 Folsom Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's May 20, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0689E, through its Motion No. 18086, for a proposed mixed-use project at 900 Folsom Street, to construct a 9-story, 85-foot tall building with ground and basement level parking, with up to 269 dwelling units, approximately 4,146 square feet of ground floor commercial space along 5th Street, and up to 221 off-street parking spaces (including stackers). The subject property is within the Mixed Use - Residential (MUR) District with a 45-X and 85-X Height and Bulk District, Lot Nos. 009, 018, 048, and 147 in Assessor's Block No. 3732. (District 6) (Appellants: Angelica Cabande on behalf of South of Market Community Action Network (SOMCAN) and Roy Recio on behalf of Manilatown Heritage Foundation).

(Filed June 9, 2010, Companion to File Nos. 100787, 100788, 100789)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

59. 100787 [Affirming the Certification of the 900 Folsom Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

60. 100788 [Reversing the Certification of the 900 Folsom Street Project Final Environmental Impact Report]
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

61. 100789 [Preparation of Findings to Reverse Certification of the 900 Folsom Street Project Final Environmental Impact Report]
Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 900 Folsom Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

62. 100790 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 260-5th Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's May 20, 2010, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0690E, through its Motion No. 18087, for a proposed mixed-use project at 260-5th Street, to demolish an existing light industrial building on the site and construct a 9-story, 85-foot tall building with a basement level parking garage, creating up to 179 dwelling units, approximately 5,281 square feet of ground floor commercial space along 5th Street, and up to 102 off-street parking spaces (including stackers). The subject property is within the Mixed Use - Residential (MUR) District with an 85-X Height and Bulk District, Lot No. 008 in Assessor's Block No. 3732. (District 6) (Appellants: Angelica Cabande on behalf of South of Market Community Action Network (SOMCAN) and Roy Recio on behalf of Manilatown Heritage Foundation).

(Filed June 9, 2010, Companion to File Nos. 100791, 100792, 100793)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

63. 100791 [Affirming the Certification of the 260-5th Street Project Final Environmental Impact Report]
Motion affirming the certification by the Planning Commission the Final Environmental Impact Report for the 260-5th Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

64. 100792 **[Reversing the Certification of the 260-5th Street Project Final Environmental Impact Report]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 260-5th Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?
65. 100793 **[Preparation of Findings to Reverse Certification of the 260-5th Street Project Final Environmental Impact Report]**
Motion directing the Clerk of the Board to prepare findings reversing the certification of the Final Environmental Impact Report for the 260-5th Street Project. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit & Oversight Committee at a Regular Meeting on Thursday, June 24, 2010, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 29, 2010.

66. 100753 **[Lease for Property Located at 150 Otis Street]**
Sponsor: Chiu
Resolution approving and authorizing a long term ground lease of 150 Otis Street to 150 Otis Associates, L.P., a California limited partnership, for a term of 70 years with a 29 year extension option, under San Francisco Charter Section 9.118, for the development and operation of affordable housing; and making findings that the lease is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?
67. 100754 **[Issuance and Sale of Tax Exempt Revenue Bonds - Young Men's Christian Association of San Francisco - Not to Exceed \$8,500,000]**
Sponsor: Chiu
Resolution approving the issuance and sale of tax-exempt revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$8,500,000 to finance and refinance community center facilities owned and operated by the Young Men's Christian Association of San Francisco.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Rules Committee at a Special Meeting on Friday, June 25, 2010, at 1:30 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 29, 2010.

68. 100815 **[Confirming the Reappointment of James W. Haas to the City Hall Preservation Advisory Commission]**
Sponsor: Mayor
Resolution confirming the reappointment of James W. Haas to the City Hall Preservation Advisory Commission.

Question: Shall this Resolution be ADOPTED?

69. 100800 **[Appointment, Planning Commission - Kathrin Moore]**
Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Kathrin Moore to the Planning Commission term ending July 1, 2014.
(Clerk of the Board)
- (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)
Transmittal date - June 14, 2010

Question: Shall this Motion be APPROVED?

70. 100801 **[Appointment, Planning Commission - Hisashi Sugaya]**
Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Hisashi Sugaya to the Planning Commission term ending July 1, 2014.
(Clerk of the Board)
- (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)
Transmittal date - June 14, 2010

Question: Shall this Motion be APPROVED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 71 through 74

71. 100827 [Political Campaign Spending by Pacific Gas and Electric Co.]
Sponsor: Mirkarimi
Resolution demanding refund of shareholder and ratepayer money used to finance Prop 16, urging the San Francisco Employees' Retirement System Board to reform its proxy investment policies with regard to its holdings with Pacific Gas and Electric Co. (PG&E), requesting the California Public Utilities Commission to closely scrutinize PG&E's current rate request, and requesting PG&E CEO Peter Darbee to discuss San Francisco's renewable energy needs.
- 06/15/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 06/22/2010; CONTINUED.
- Question: Shall this Resolution be ADOPTED?
72. 100874 [Reform of California State Law Regarding Franchise Perpetuities]
Sponsor: Mirkarimi
Resolution requesting the California State Legislature reform current law to permit local jurisdictions to re-negotiate franchise agreements previously executed in perpetuity by declaring such contracts as contrary to the public interest, setting an expiration date for such contracts, and statutorily limiting the duration of future agreements.
- 06/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

73. 100875 [Declaration of Election Results of June 8, 2010, Consolidated Statewide Direct Primary Election]

Sponsor: Chiu

Resolution declaring the results of the June 8, 2010, Consolidated Statewide Direct Primary Election.

06/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

74. 100872 [Committee of the Whole - Hearing on Proposed Amendments to the Bayview Hunters Point and Hunters Point Shipyard Redevelopment Plans]

Sponsor: Maxwell

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on July 13, 2010, at 3:00 p.m., to hold a public hearing on the proposed amendments to the Redevelopment Plans for the Bayview Hunters Point and Hunters Point Shipyard Project Areas.

06/22/2010; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

75. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from June 15, 2010, to June 21, 2010, for reference by President to appropriate committee on June 29, 2010.

100851 [Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]

Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block 0241, Lots 011 and 012 (the Property), from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

06/16/2010; ASSIGNED UNDER 30 DAY RULE to the Land Use and Economic Development Committee.

100852 [Mission Bay South - Park P17 Improvements]

Ordinance dedicating a portion of State Trust Parcel 5, known as Park P17, lying along Mission Bay Boulevard North, Mission Bay Boulevard South and Terry A. Francois Boulevard for public use and naming the new park "Commons Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,716 and authorizing official acts in connection with this Ordinance. (Planning Department)

06/17/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

100853 [Mission Bay South - Park P18 Improvements]

Ordinance dedicating a portion of State Trust Parcel 5, known as Park P18, lying along Terry A. Francois Boulevard between Mission Bay Boulevard North and China Basin Street for public use and naming the new park "Bayfront Park"; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code Section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,715 and authorizing official acts in connection with this Ordinance. (Public Works Department)

06/17/2010; RECEIVED AND ASSIGNED to the Land Use and Economic Development Committee.

- 100856 [Settlement of Lawsuit - Jeffrey Bitton, Sandra Bitton and Micha Bitton - \$48,500]**
Ordinance authorizing settlement of the lawsuit filed by Jeffrey Bitton, Sandra Bitton and Micha Bitton against the City and County of San Francisco for \$48,500; the lawsuit was filed on December 15, 2008, in the United States District Court, Northern District of California, Case No. C08-5585; entitled Jeffrey Bitton, et al. v. City and County of San Francisco, et al. (City Attorney)
06/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.
- 100857 [Settlement of Attorney's Fees/Costs Claim in Lawsuit - A.N.S.W.E.R. Coalition - \$90,000]**
Ordinance authorizing settlement of the claim for attorney's fees and costs incurred by A.N.S.W.E.R. Coalition - San Francisco in litigation against the City and County of San Francisco for \$90,000.00; the lawsuit was filed on June 16, 2006, in San Francisco Superior Court, Case No. CPF-06-506438; entitled A.N.S.W.E.R. Coalition - San Francisco v. City and County of San Francisco. (City Attorney)
06/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 15, 2010, to June 21, 2010, for reference by President to appropriate committee on June 29, 2010.

- 100837 [Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 266-286 4th Street]**
Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 266-286 4th Street, San Francisco, California, Assessor's Parcel No. Block 3733, Lot 093, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)
06/21/2010; ASSIGNED to the Board of Supervisors.
- 100840 [Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 790 Market Street]**
Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 790 Market Street, San Francisco, California, Assessor's Parcel No. Block 0328, Lot 002, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)
06/21/2010; ASSIGNED to the Board of Supervisors.

100843 [Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 801 Market Street]

Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel No. Block 3705, Lot 48A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

06/21/2010; ASSIGNED to the Board of Supervisors.

100846 [Authorizing the Acquisition of Fee Simple Interest By Eminent Domain for Central Subway/Third Street Light Rail Extension - 933-949 Stockton Street]

Resolution authorizing the acquisition of a fee simple interest in real property commonly known as 933-949 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0211, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

06/21/2010; ASSIGNED to the Board of Supervisors.

100849 [Authorizing the Acquisition of Subsurface Real Property Easement By Eminent Domain for Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]

Resolution authorizing the acquisition of a subsurface easement in real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel No. Block 0130, Lot 001, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

06/23/2010; ASSIGNED to the Board of Supervisors.

100850 [San Francisco County Exhibit in the 2010 State Fair]

Resolution appointing the City Administrator as the official representative of the City and County of San Francisco for the purpose of entering a county exhibit in the 2010 California State Fair and authorizing a county exhibit on San Francisco's behalf. (City Administrator)

06/14/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100854 [Approval of the San Francisco Child and Family Services Review - System Improvement Plan for the San Francisco Human Services Agency and Juvenile Probation Departments]

Resolution approving San Francisco's Child and Family Services Review - System Improvement Plan, a strategic plan that: 1) outlines how San Francisco will improve prioritized outcomes for children, youth, and families; 2) serves as the operational agreement between the county and state; and 3) includes plans for utilizing Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families revenues to prevent child maltreatment. (Human Services Department)

06/18/2010; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

100855 [Approve San Francisco Public Utilities Commission Calaveras Dam Replacement Construction Management Contract - Not to Exceed \$38,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-911R, Calaveras Dam Replacement Construction Management Services, with Black and Veatch, for an amount not to exceed \$38,000,000 with a term of up to five years and six months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)

06/21/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100858 [Settlement of Unlitigated Claim - Barbara Whittenburg - \$60,000]

Resolution approving the settlement of the unlitigated claim filed by Barbara Whittenburg against the City and County of San Francisco for \$60,000; claim was filed on November 12, 2009. (City Attorney)

06/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100859 [Settlement of Unlitigated Claim - Lance Gentile - \$105,000]

Resolution approving the settlement of the unlitigated claim filed by Lance Gentile against the City and County of San Francisco for \$105,000; claim was filed on September 28, 2009. (City Attorney)

06/21/2010; RECEIVED AND ASSIGNED to the Rules Committee.

100860 [Amendment to Maintenance and Management Agreement between the San Francisco Port Commission and the San Francisco Redevelopment Agency for Rincon Park]

Resolution authorizing and directing the Port Executive Director to execute the Third Amendment to the Maintenance and Management Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the maintenance and management of Rincon Park by the Port, extending the term of the Agreement from June 30, 2010, to June 30, 2013. (Port)

06/16/2010; RECEIVED AND ASSIGNED to the Budget and Finance Sub-Committee.

100876 [Petitions and Communications]

Petitions and Communications received from June 15, 2010, through June 21, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on June 29, 2010.

From Office of the Controller, submitting cost analyses of all contract amendments and extensions negotiated in spring 2010. Copy: Each Supervisor, Government Audit and Oversight Committee Clerk (1)

From Office of the Controller, submitting an audit report concerning the cost estimates for achieving operational effectiveness in crime lab operations. Copy: Each Supervisor (2)

From Office of the Controller, submitting report concerning the progress of civilianization in the Police Department, patrol, investigations and continued support functions. Copy: Each Supervisor (3)

From Clerk of the Board, the following departments have submitted their Sole Source contracts for FY2009-2010: (4)
Board of Appeals
Department of the Environment
Public Utilities Commission
Department of Technology

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from June 16, 2010, until June 20, 2010. Supervisor Carmen Chu and Supervisor Sean Elsbernd will serve as Acting-Mayor. Copy: Each Supervisor, City Attorney (5)

From Office of the Mayor, submitting opposition to proposed Charter Amendment that alters the appointment structure for the Recreation and Park Commission. File No. 100633, Copy: Each Supervisor, City Attorney (6)

From Library Users Association, regarding funding priorities at the public library. (7)

From S.F. Chronicle, regarding official advertising for the City and County of San Francisco for FY2010-2011. File No.100567, Copy: Each Supervisor (8)

From James Chaffe, regarding public comment at Board of Supervisors meetings. (9)

From Clerk of the Board, the following departments have submitted their 2010 Local Agency Biennial Notices: (10)
Film Commission
Commission on the Status of Women

From Stradling, Yocca, Carlson & Rauth, regarding California Community College Financing Authority Tax and Revenue Anticipation Note Program. (11)

From Department of the Environment, submitting regulations implementing the Plastic Bag Reduction Ordinance. Copy: Each Supervisor (12)

From S. F. Labor Council, submitting resolution concerning an improved community jobs program. Copy: Each Supervisor (13)

From Office of Civic Engagement and immigrant Affairs, submitting the 2010 Annual Language Access Ordinance Summary Compliance Report. Copy: Each Supervisor (14)

- From Yerba Buena Consortium, submitting opposition to the appeal filed for property located at 900 Folsom Street. File No. 100790 (15)
- From Patrick Monette-Shaw, regarding Laguna Honda Hospital patient gift fund. 2 letters (16)
- From concerned citizens, submitting support for cell phone labeling. 2 letters (17)
- From Ahimsa Porter Sumchai, regarding community exposure research. (18)
- From Michelle Patterson, urging the Board to add back \$50,000 to the Women's Community Clinic budget. (19)
- From Denise D'Anne, urging the Board to maintain funding for the Senior Housing Action Committee. (20)
- From Patrick Monette-Shaw, regarding Laguna Honda Hospital patient bus trips. (21)
- From Raymond Ramos, regarding Sharp Park Golf Course. (22)
- From Paula Kotakis, submitting opposition to contracting out security services at city museums. (23)
- From Les Natali, submitting support for expanding parking meter hours/and or Sunday metering. (24)
- From Patrick Monette-Shaw, regarding outsourcing public and patient safety at Laguna Honda Hospital. (25)
- From Bhanuprakash Panchanahalli, requesting a taxicab minimum fare at San Francisco international Airport. (26)
- From concerned citizens, submitting support for re-naming Rose Alley. 2 letters (27)
- From Terrie Frye, urging the Board to oppose any funding cuts to the SRO Collaborative. Copy: Budget and Finance Committee Clerk (28)
- From Office of the Controller, submitting the May 2010 Overtime Report. (29)
- From Kimo Crossman, regarding security costs for public officials when out of state. (30)
- From Kimo Crossman, commenting that there is no serious scientific debate about safety of cell phones or cell towers. (31)
- From Cathy Blessum, regarding McLaren Park Disc Golf Club. (32)
- From Alvin Johnson, regarding Department of Human Resources and the Civil Service Commission alleged abuse of authority. (33)
- From Coalition on Homelessness, regarding budget savings and homeless cut priorities. (34)
- From Aaron Goodman, submitting summary of issues presented to the Planning Commission (June 17, 2010) regarding the Parkmerced draft Environmental Impact Report. Copy: Each Supervisor (35)
- From Office of the Controller, regarding proposed Charter Amendment concerning the consolidation of Police and Sheriff Functions. File No.100235, Copy: Each Supervisor, Rules Committee Clerk (36)

From Office of the Controller, regarding proposed Charter Amendment that consolidates the election cycle for members of the City's Health Service Board. File No. 100634, Copy: Each Supervisor, City Attorney, Rules Committee Clerk (37)

From Office of the Controller, regarding proposed Charter Amendment that alters the appointment structure for the Recreation and Park Commission. Copy: Each Supervisor, City Attorney, Rules Committee Clerk (38)

From T Mobile, submitting notification of eight cellular antennas to be installed at 2500 24th Street. (39)

From concerned citizens, submitting various opinions on proposed resolution regarding the Freedom Flofilia and Gaza Blockade. File No. 100767, Approximately 27 letters (40)

From Budget and Legislative Analyst's Office, submitting an evaluation report on the City and County Department's General Fund Revenue. (41)

From concerned citizens, regarding the Arizona boycott. (42)

From Edie Schaffer, urging the Board to fund the Fire Department so they continue to have the resources they need to safely and effectively work the front lines in keeping all San Franciscans safe. (43)

From concerned citizens, submitting opposition to proposed Charter Amendment that alters the appointment structure for the Recreation and Park Commission. File No. 100633, Copy: Each Supervisor, Rules Committee Clerk, 3 letters (44)

From concerned citizens, submitting support for proposed Charter Amendment that alters the appointment structure for the Recreation and Park Commission. File No. 100633, Copy: Each Supervisor, Rules Committee Clerk, 5 letters (45)

From concerned citizens, submitting opposition to cutting the Neighborhood Emergency Response Team (NERT) program budget in half. File No. 100701, 14 letters (46)

From concerned citizens, submitting opposition to expanding parking meter hours/and or Sunday metering. 31 letters (47)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to the upland game bird hunting regulations. (48)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to gear restrictions. (49)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to waterfowl hunting. (50)

From Shona, regarding the Axis of Love. (51)

From Bhanuprakash Panchanahalli, commenting that San Francisco cab drivers are being charged to service their own airport. (52)

From Patrick Monette-Shaw, commenting that Laguna Honda Hospital patient trips have plummeted sixty-six percent. (53)

ADJOURNMENT

